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THE UNITED KINGDOM
OF
GREAT BRITAIN AND IRELAND,
50 GEORGE III. 1810.

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By T. E. TOMLINS, Esq. Barrister at Law :

And from that Period,

By JOHN RAITHBY, Esq. Barrister at Law.

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THE

S T A T U T E S

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A

T A B L E

Containing the TITLES of all

THE STATUTES,

Passed in the FOURTH Session of the FOURTH Parliament

OF THE

United Kingdom of *Great Britain* and *Ireland*;

50 GEORGE III.

PUBLICK GENERAL ACTS.

1. **A**N A&t for continuing to His Majesty certain Duties on Malt, Sugar, Tobacco and Snuff, in *Great Britain*; and on Pensions, Offices and Personal Estates in *England*; for the Service of the Year One thousand eight hundred and ten. *Page 1*
 2. An A&t for raising the Sum of Ten millions five hundred thousand Pounds, by Exchequer Bills, for the Service of *Great Britain* for the Year One thousand eight hundred and ten. *Ibid.*
 3. An A&t for raising the Sum of One million five hundred thousand Pounds, by Exchequer Bills, for the Service of *Great Britain* for the Year One thousand eight hundred and ten. *Ibid.*
 4. An A&t to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and for extending the Times limited for those Purposes respectively, until the Twenty fifth Day of *March* One thousand eight hundred and eleven; and to permit such Persons in *Great Britain* as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors, to make and file the same on or before the First Day of *Hilary* Term One thousand eight hundred and eleven. *2*
 5. An A&t to prohibit the Distillation of Spirits from Corn or Grain in *Great Britain*, for a limited Time; and to continue, until Four Months after the Expiration of such Prohibition, an A&t of the last Session of Parliament, to suspend the Importation of *British* or *Irish*-made Spirits into *Great Britain* or *Ireland* respectively. *Ibid.*
 6. An A&t to enable His Royal Highness *George* Prince of *Wales*, to grant Leases of certain Lands and Premises called *Prince's Meadows*, in the Parish of *Lambeth*, in the County of *Surry*, Parcel of His said Royal Highness's Duchy of *Cornewall*, for the Purpose of building thereon. *3*
- 50 Geo. III. *a* *7. An*

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13. An Act to continue an Act, made in the Forty fourth Year of His present Majesty, for permitting the Exportation of Salt from the Port of *Nassau* in the Island of *New Providence*, the Port of *Exuma* and the Port of *Crooked Island* in the *Bahama Islands*, in *American* Ships coming in Ballast; and amend and continue an Act made in the Forty eighth Year of His present Majesty, for permitting Sugar and Coffee to be exported from His Majesty's Colonies or Plantations to any Port in *Europe* to the Southward of *Cape Finisferre*, and Corn to be imported from such Port, and from the Coast of *Africa*, into the said Colonies and Plantations, until the Twenty fifth Day of *March* One thousand eight hundred and thirteen. 17
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LOCAL AND PERSONAL ACTS

TO BE JUDICIALLY NOTICED;

OR PRINTED COPIES WHEREOF ARE DECLARED TO BE EVIDENCE.

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- ii. An Act for making and maintaining a Road from *Albion Street* in the Town of *Cheltenham* in the County of *Gloucester*, to *Bunch Lane* in or near the Village of *Bishop's Cleeve*, in the said County, to join the Turnpike Road leading from the Town of *Evesham* in the County of *Worcester*, to the said Town of *Cheltenham*. 420
- iii. An Act for altering, improving and keeping in Repair the Road between the City of *Durham* and the Village of *Shotley Bridge*, in the County of *Durham*. *Ibid.*
- iv. An Act for erecting a Justiciary and County Hall and other Offices for the County of *Roxburgh*. *Ibid.*
- v. An Act for repealing an Act, made in the Thirty second Year of His late Majesty, for better lighting and cleansing the Open Places, Streets, Squares and other Passages within the Part of the Manor and Liberty of *Norton Folgate* otherwise *Norton Folley*, in the County of *Middlesex*, which is Extra-parochial, and regulating the

- the Nightly Watch and Beadles therein; and for the better Relief and Maintenance of the Poor thereof; and for other Purposes relating thereto. Page 420
- vi. An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from *Shaddon Gate* near *Carlisle* to *Mulafide*, and to join the Turnpike Road at *Skillbeck*, in the County of *Cumberland*. Ibid.
- vii. An Act for repairing the Road from *Catterick Bridge* in the County of *York*, through the Towns of *Yarm*, *Stockton* and *Sedgefield*, to the City of *Durham* in the County of *Durham*, and for repealing an Act passed in the Twenty eighth Year of His present Majesty for repairing the said Road. Ibid.
- viii. An Act for continuing the Term and altering and enlarging the Powers of several Acts of His late and present Majesty, for repairing the several Roads therein mentioned, so far as the said Acts relate to the Road from *Doncaster* through *Ferrybridge*, to the South Side of *Tadcaster Cross* in the County of *York*. Ibid.
- ix. An Act for inclosing Lands in the Township or Hamlet of *Chieveley*, in the Manor and Parish of *Chieveley*, in the County of *Berks*. 421
- x. An Act to continue and amend Three Acts for the Improvement of the Port and Harbour of *Drogheda*. Ibid.
- xi. An Act to enlarge the Term and Powers of Two Acts of His present Majesty, so far as the same relate to the Road from *Buckland Dinham* to *Radford Bridge*, and from *Midsomer Norton* to *Norton Saint Phillip*, and from *Kilmerston* to *Radstock* in the County of *Somerset*. Ibid.
- xii. An Act for continuing the Term and amending Two Acts passed in the Twenty ninth and Thirty fifth Years of His present Majesty, for amending the several Roads therein described, so far as the said Acts relate to the District of Road from *Bury* to *Hastingsden*, and from thence to *Blackburn* and *Whalley*, all in the County Palatine of *Lancaster*; and also for making a Branch of Road from *Portfield* to the West End of the Town of *Padibam*, in the same County. Ibid.
- xiii. An Act for continuing the Term, and altering and enlarging the Powers of Two Acts, passed in the Tenth and Twentieth Years of His present Majesty, for repairing and widening several Roads leading from the Town of *Louth*, in the County of *Lincoln*. Ibid.
- xiv. An Act for repairing, altering and improving the Road from *Titchfield* to *Cosham*, in the County of *Southampton*. Ibid.
- xv. An Act for continuing the Term, and altering and enlarging the Powers of Two Acts, passed in the Twenty ninth and Thirty third Years of His present Majesty, for repairing and widening the Road from *Wakefield* to *Abberford* in the County of *York*. Ibid.
- xvi. An Act for continuing the Term, and altering the Powers of an Act made in the Thirty fourth Year of His present Majesty, for making and repairing several Roads leading across the County of *Stirling*. Ibid.
- xvii. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from the Bottom of *Whitesheet Hill*, to the *Wilton* Turnpike Road at or near *Barford* in the County of *Wilts*. 422

- xviii. An Act for repairing the Road leading from the *Eynsford* Turnpike Road in the Parish of *Shoreham*, in the County of *Kent*, to the Turnpike Road leading from *Sevenoaks* to *Bromley*, in the said County. *Page 422*
- xix. An Act for better assessing and collecting the Poor and other Rates, in the Parish of *Lambeth*, in the County of *Surrey*; and regulating the Poor thereof. *Ibid.*
- xx. An Act to alter and amend Two Acts, passed in the Twentieth Year of His late Majesty and the Forty third Year of His present Majesty, for maintaining the Publick Conduits and other Water Works belonging to the Town of *Southampton*. *Ibid.*
- xxi. An Act to continue and amend Two Acts of the Ninth and Thirtieth Years of His present Majesty, for repairing several Roads leading from the Borough of *Dorchester*, in the County of *Dorset*. *Ibid.*
- xxii. An Act for making and maintaining a Road from *Lower Saint Cross Mill Lane*, (on the Road from the City of *Winchester* to the Town of *Southampton*) to *Park Gate*, on the Road from *Southampton* to *Gosport*, in the County of *Southampton*. *Ibid.*
- xxiii. An Act for better paving, lighting, cleansing and watching the Town of *Great Yarmouth*, in the County of *Norfolk*, and for removing Nuisances and Annoyances therein, and for making other Improvements in the said Town. *Ibid.*
- xxiv. An Act to enable the Company of Proprietors of the *Ellesmere* Canal to extend the *Whitchurch* Line of the said Canal from *Sherryman's Bridge* to *Castle Well*, in the Town of *Whitchurch*, in the County of *Salop*; and for amending the several Acts for making the said Canal. *Ibid.*
- xxv. An Act for lighting and watching the Town of *Bishop Wearmouth* and *Bishop Wearmouth Panns*, for cleansing, paving and regulating the Footpaths, and for removing and preventing Nuisances and Encroachments therein. *423*
- xxvi. An Act to amend an Act made in the Eighteenth Year of His present Majesty, for paving, cleansing, lighting and watching the Town of *Dover*, and for removing and preventing Nuisances and Annoyances therein. *Ibid.*
- xxvii. An Act for paving, lighting, watching and cleansing the Town of *Sunderland* near the Sea, in the County of *Durham*; for removing the Market; for building a Town Hall or Market House; and for otherwise improving the said Town; and for establishing a Watch on the River *Wear*. *Ibid.*
- xxviii. An Act to revive and continue the Term and Powers of an Act passed for empowering the Commissioners for paving, cleansing and lighting the Squares, Streets and Lanes within the City and Liberty of *Westminster* and Parts adjacent, to collect certain Tolls on *Sundays* upon the several Roads therein mentioned. *Ibid.*
- xxix. An Act for constructing a Pier or Harbour at or near the Town of *Kincardine*, in the County of *Perth*. *Ibid.*
- xxx. An Act for regulating the New Market Place in the Town of *Halifax*, in the West Riding of the County of *York*. *Ibid.*
- xxxi. An Act for amending and rendering more effectual an Act, of the Ninth Year of His present Majesty, for embanking, draining and preserving certain Low Grounds in the Parish of *Lancham*, and

and other Parishes and Places therein mentioned, in the County of *Nottingham*. Page 423

xxxii. An Act to alter and explain an Act made in the Forty seventh Year of His present Majesty, to enable the Provident Institution to sue in the Name of their Managing Director, and to enrol Annuities. *Ibid.*

xxxiii. An Act to amend an Act made in the Twenty sixth Year of His present Majesty's Reign, for incorporating and regulating the *Clyde* Marine Society. *Ibid.*

xxxiv. An Act for continuing and amending Three Acts, passed in the Fourteenth Year of His late Majesty, and Second and Twenty ninth Years of His present Majesty, so far as they relate to repairing the Road from *Doncaster* in the County of *York*, to *Salter's Brook* in the County of *Chester*. 424

xxxv. An Act to continue the Term, and amend and enlarge the Powers of Two Acts, of His present Majesty, for repairing the Road from *Marchwiel*, in the County of *Denbigh*, through *Bangor*, *Worthenbury* and *Hanmer*, in the County of *Flint*, to a certain House therein mentioned in the Parish of *Whitchurch*, in the County of *Salop*; and from *Bangor* aforesaid to *Malpas*, in the County of *Chester*; and from *Redbrook* to *Hampton*, in the County of *Salop*. *Ibid.*

xxxvi. An Act for more effectually repairing the Road from the Town of *Blackburn* through *Padibam* and *Burnley* to *Colne*, in the County Palatine of *Lancaster*; and for continuing the same Road through *Glasburn* and *Silsden* to *Addingham* and *Cocking End*, in the West Riding of the County of *York*. *Ibid.*

xxxvii. An Act for inclosing Lands in the Parish of *East Markham*, in the County of *Nottingham*. *Ibid.*

xxxviii. An Act to repeal an Act made in the Thirteenth Year of His present Majesty, for paving, lighting and cleansing the Town of *Brighthelmstone*, in the County of *Sussex*, and removing and preventing Nuisances and Annoyances therein; for regulating the Market; for building and repairing Groynes to render the Coast safe and commodious; for landing Coal and Culm, and laying a Duty thereon, and for making other Provisions in lieu thereof; and for regulating Weights and Measures, and building a Town Hall. *Ibid.*

xxxix. An Act for building a Bridge over the River *Wensum*, in the City of *Norwich*, to the Hamlet of *Thorpe*, in the County of the said City. *Ibid.*

xl. An Act for paving and otherwise improving the Streets and other Publick Passages within the Town of *Pontefract*, in the County of *York*, for better supplying the said Town with Water, and for altering and amending an Act, passed in the Twentieth Year of His present Majesty, intituled, *An Act for dividing the Park of Pontefract, in the County of York, and for other Purposes therein mentioned*. *Ibid.*

xli. An Act for watching, and more effectually lighting, cleansing and otherwise improving the Town of *Kingston upon Hull*, and the Liberty of *Trippett* and the Lordship or Precinct of *Myton*, in the Parish of the *Holy Trinity*, in the said Town; and for preventing Nuisances therein; and also for preventing Frauds and Impositions

- Impositions in the Quality, Measure and Carriage of Coals sold in the said Town and the Neighbourhood thereof. *Page 425*
- xlii. An Act for better paving, lighting, cleansing, watching and otherwise improving the Town of *Lowestoft*, in the County of *Suffolk*. *Ibid.*
- xliii. An Act for providing an Additional Burial Ground for the Parish of *Saint Luke, Chelsea*, in the County of *Middlesex*. *Ibid.*
- xliv. An Act for further enlarging the Church Yard of the Parish of *Paddington* in the County of *Middlesex*. *Ibid.*
- xlv. An Act for better assessing and collecting the Poor and other Rates in the Parish of *Saint George the Martyr*, in the Borough of *Southwark*, in the County of *Surrey*, and regulating the Poor thereof. *Ibid.*
- xlvi. An Act for improving the Upper End of the *Barrier Bank*, on the North Side of the *Wash* of the *Hundred Feet River*, in the *Isle of Ely*, and Counties of *Cambridge* and *Huntingdon*. *Ibid.*
- xlvii. An Act for improving the Lower End of the *Barrier Bank*, between *Salter's Lode* and *Welche's Dam Bridge*, in the *Isle of Ely*, and Counties of *Cambridge* and *Norfolk*. *Ibid.*
- xlviii. An Act for altering, amending and enlarging the Powers of an Act, passed in the Forty fifth Year of His present Majesty, for building a Bridge over that Part of the River *Rumney* which divides the Parish of *Rumney* in the County of *Monmouth*, and the Parish of *Roath* in the County of *Glamorgan*. *Ibid.*
- xlix. An Act to continue and amend Three Acts passed in the Twenty second Year of His late Majesty, and the Fourteenth and Thirty sixth Year of His present Majesty, for repairing the Road from *North Shields*, in the County of *Northumberland*, to the Town of *Newcastle upon Tyne*, and to make and repair certain additional Branches of Road communicating therewith. 426
- i. An Act to amend an Act passed in the Thirty second Year of His present Majesty, for building a Bridge over the River *South Esk*, at or near *Montrose*. *Ibid.*
- ii. An Act for enlarging the Powers granted by His Majesty to the Royal Institution of *Great Britain*, and for extending and more effectually promoting the Objects thereof. *Ibid.*
- iii. An Act to continue the Term and alter and enlarge the Powers of several Acts of His present Majesty, for repairing certain Roads in the Counties of *Carnarvon* and *Denbigh*, and for more effectually repairing, improving and keeping in Repair certain other Roads in the County of *Carnarvon*. 431
- iiii. An Act to continue the Terms and enlarge the Powers of Two Acts of the Seventh and Twenty ninth Years of His present Majesty, for repairing the Road leading from the High Road between *Bromley* and *Farnborough*, in the County of *Kent*, to *Beggars' Bush*, in the Turnpike Road leading from *Tonbridge Wells* to *Maresfield*, in the County of *Sussex*. 432
- lv. An Act for continuing and amending Two Acts passed in the Third and Twenty fourth Years of His present Majesty, for repairing the Roads from *Lemsford Mill*, through *Welwyn* and *Stevenage* to *Hitchin*, and from *Welwyn* through *Codicot* to *Hitchin* aforesaid, all in the County of *Hertford*. *Ibid.*
- lv. An Act for making and keeping in Repair the Road leading from a Place near *Stopham Bridge*, in the Parish of *Pulborough*,
in

- in the County of *Suffex*, to the Road running from *Worthing* to *Horsham*, in the said County; and from the said Road running from *Worthing* to *Horsham* to the Direction Post in the Parish of *Steyning*, on the Turnpike Road leading from *Steyning* to *Horsham*, in the said County. Page 432
- lvi. An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from *Gibbet Lane* to *Wolverhampton*, in the County of *Stafford*, and several other Roads therein described; and for extending the said Roads from *King's Wood Common* to the Turnpike Road leading from *Weston under Lizard* to *Newport*, in the County of *Salop*. Ibid.
- lvii. An Act for more effectually repairing, widening, improving and amending the Road from *Liverpool* to *Preston*, in the County Palatine of *Lancaster*. Ibid.
- lviii. An Act for more effectually repairing and keeping in Repair several Roads leading to and from the Town of *Abergavenny* in the County of *Monmouth*. Ibid.
- lix. An Act for making and keeping in Repair a Carriage Road from the Turnpike Road leading from *Rotherham* in the County of *York*, to *Mansfield* in the County of *Nottingham*, at or near *Clown* in the County of *Derby*, to the Turnpike Road leading from *Workshop* to *Kelham*, at or near *Budby* in the County of *Nottingham*. Ibid.
- lx. An Act to amend so much of an Act made in the Parliament of *Ireland*, in the Twenty sixth Year of His present Majesty, for making and repairing Publick Roads in the County of *Dublin*, as relates to the Roads within the Barony of *Rathdown*. 433
- lxi. An Act for amending an Act of the Forty second Year of His present Majesty for repairing the Road from *Buckton Burn* through *Berwick upon Tweed* to *Lammerton Hill*, and several other Roads therein mentioned, in the County of *Durham* and Liberties of *Berwick upon Tweed*. Ibid.
- lxii. An Act to amend several Acts for repairing Roads leading to and through the Town of *Frome* in the County of *Somerset*, and for paving the Footways and lighting the Streets within the said Town, and for removing Part of the present Market Place in the said Town. Ibid.
- lxiii. An Act for more effectually repairing the Road from *Hardingstone* to *Old Stratford*, in the County of *Northampton*. Ibid.
- lxiv. An Act for inclosing Lands in the Parishes of *Eling* and *Fawley*, in the County of *Southampton*. Ibid.
- lxv. An Act for appointing new Trustees for carrying into Execution the Trusts and Powers of the Settlement made on the Marriage of the Right Honourable *George Capel Coningsby* Earl of *Essex*, with *Sarah* Countess of *Essex*, his Wife. Ibid.
- lxvi. An Act for inclosing and exonerating from Tythes, Lands in the Parish of *Bletchley*, in the County of *Buckingham*. Ibid.
- lxvii. An Act for inclosing Lands in the Parishes of *Great Plumstead* and *Posiwick*, in the County of *Norfolk*. Ibid.
- lxviii. An Act for paving, lighting, cleansing and watching the Burgh of *Kilmarnock*, and Suburbs thereof; for regulating the Police and Markets; and for other Purposes therein mentioned. Ibid.
- lxix. An Act for better regulating the Statute Labour within the County of *Stirling*. 434

- lxx. An Act to amend several Acts of the Thirteenth, Thirty fifth and Thirty seventh Years of His present Majesty, for deepening and making more commodious the Harbour of *Aberdeen*. Page 434
- lxxi. An Act for providing an additional Burying Ground for the Parish of *Saint John, Hampstead*, in the County of *Middlesex*. *Ibid.*
- lxxii. An Act for more effectually making and repairing certain Roads in the Counties of *Fife, Kinross, Perth* and *Clackmannan*. *Ibid.*
- lxxiii. An Act for more effectually repairing the Roads leading into the City of *Hereford*, and several Roads communicating therewith. *Ibid.*
- lxxiv. An Act for making and maintaining a Turnpike Road from the Town of *Wisbech* in the *Isle of Ely*, in the County of *Cambridge*, to the Town of *Thorney* in the same Isle and County. *Ibid.*
- lxxv. An Act to amend an Act of the Fourteenth Year of His present Majesty, for the better Regulation of Buildings and Party Walls, and for the more effectually preventing Mischiefs by Fire within the Cities of *London* and *Westminster*, by permitting *Johns'* Patent Tessler to be used in the Covering of Houses and Buildings within the Places therein mentioned. *Ibid.*
- lxxvi. An Act for enabling the Company of Proprietors of the *Thames* and *Medway* Canal to vary the Line of the said Canal; and for altering and enlarging the Powers of Two Acts, passed in the Fortieth and Forty fourth Years of His present Majesty, for making the said Canal and a Collateral Cut thereto. 436
- lxxvii. An Act for improving the *Barrier Bank* on the South Side of *Moreton's Leam*, between *Tower House* and *Whittlesey Field*, in the *Isle of Ely* and County of *Cambridge*. 437
- lxxviii. An Act to amend and render more effectual Two Acts of His late and present Majesty for draining, preserving and inclosing Lands in *March, Wimblington* and *Upwell*, in the *Isle of Ely* and County of *Cambridge*, so far as the said Acts relate to the First and Second Districts therein mentioned. *Ibid.*
- lxxix. An Act for draining and improving certain Lands in the Manors, Parishes and Places of *North Weston, Walton* and other Places in the County of *Somerset*. *Ibid.*
- lxxx. An Act for draining and improving certain Fen Lands and Low Grounds in the Parish of *Stilton*, in the County of *Huntingdon*. *Ibid.*
- lxxxi. An Act for embanking and draining a certain Level of Marshes and Fen Lands called or known by the Name of *The Minstons Level*, within the several Parishes of *Leiston*, with the Hamlet of *Sizewell, Theberton, Dunwich, Westleton* and *Middleton cum Fordley*, in the County of *Suffolk*. *Ibid.*
- lxxxii. An Act for amending and enlarging the Powers of an Act of His present Majesty, intituled, *An Act for the Improvement of the Town of Bedford in the County of Bedford, and for rebuilding the Bridge over the River Ouze in the said Town*. *Ibid.*
- lxxxiii. An Act for better lighting, watching, cleansing and repairing the Highways, and otherwise improving the Hamlet of *Ratcliff*, in the County of *Middlesex*, and for repealing an Act of the Twenty ninth Year of His late Majesty relative thereto; and

- and for the better Relief and Maintenance of the Poor of the said Hamlet. Page 437
- lxxxiv. An Act for better paving and lighting, for establishing a Nightly Watch, for regulating the Poor, and recovering the Poor Rates within the Liberty of the *Rolls* in the County of *Middlesex*. Ibid.
- lxxxv. An Act to explain and amend an Act of the Twenty seventh Year of His present Majesty, for making and declaring the Gaol for the County of *Devon* a Publick and Common Gaol; and for other Purposes in the said Act mentioned. 438.
- lxxxvi. An Act for altering and amending an Act, passed in the last Session of Parliament, for widening and altering *Ouse Bridge* over the River *Ouse*, and *Foss Bridge* over the River *Foss*, in the City of *York*; for widening, raising and improving certain Streets, Lanes and Passages leading and near to the said Bridges; and for making certain other Improvements in the said City. Ibid.
- lxxxvii. An Act for maintaining a Bridge across the River *Beaulay*, to be called *The Lovat Bridge*, in the County of *Inverness*. Ibid.
- lxxxviii. An Act for making and maintaining a Road partly by an Archway through the East Side of *Highgate Hill*, communicating with the present Turnpike Road from *London* to *Barnet*, at *Upper Holloway*, in the Parish of *Saint Mary Islington*, and near the Brook below the Fifth Mile Stone, in the Parish of *Hornsey*, in the County of *Middlesex*. Ibid.
- lxxxix. An Act to enable the *Birmingham* Life Assurance and Annuity Office to sue in the Name of their Secretary, and to enrol Annuities. Ibid.
- xc. An Act to enable the *Birmingham* Fire Office Company to sue in the Name of their Secretary. Ibid.
- xci. An Act to regulate the loading of Ships with Coals in the Port of *Newcastle upon Tyne*. Ibid.
- xcii. An Act for continuing the Term, and altering and enlarging the Powers of several Acts for repairing the Roads therein mentioned, so far as the same relate to the Road from the *Red House*, near *Doncaster*, to the South End of *Wakefield Bridge*, and from *Wakefield* to *Pontefract*, and from thence to *Weeland*, and from *Pontefract* to *Wentbridge*, all in the West Riding of the County of *York*. Ibid.
- xciii. An Act to continue the Term, and alter and enlarge the Powers of Two Acts, passed in the Fifth and Sixteenth Years of His present Majesty, for repairing the Road from the Great Bridge in the Borough of *Warwick* to the Town of *Northampton*. 439
- xciv. An Act for more effectually amending, widening and repairing the Road leading from *Aylesbury*, in the County of *Buckingham*, to *Hockliffe*, in the County of *Bedford*. Ibid.
- xcv. An Act to continue the Term and alter and enlarge the Powers of several Acts for repairing the Roads from *Birmingham* to *Warminster*, and from *Birmingham* to *Edgehill*, in the County of *Warwick*, so far as the same relate to the Road from *Birmingham* to *Warminster*, and so on to the utmost Limits of the said County on *Edgehill*. Ibid.
- xcvi. An Act for continuing the Term and enlarging the Powers of Two Acts of the Eighth and Twenty eighth Years of His present Majesty, so far as the same relate to the Road from the Township

Township of *Huddersfield*, in the West Riding of the County of *York*, to *Woodhead*, in the County Palatine of *Chester*, and from thence to a Bridge over the River *Mersey*, called *Enterclough Bridge*, on the Confines of the County of *Derby*. Page 439

xcvii. An Act for enlarging the Term and Powers of Three Acts of His late and present Majesty, for repairing several Roads therein mentioned, leading to, through and from the Town of *Monmouth*, and for making a New Piece of Road to communicate therewith. *Ibid.*

xcviii. An Act for continuing and amending an Act of the Twenty eighth Year of His present Majesty, for repairing the Roads from *Staplebar* to *Lingen*, and from thence to *Willey's Oak*, and from *Kingsbam* to the *Kington* and *Radnor* Turnpike Roads, and from *Lingen* aforesaid to *Walford*, in the County of *Hereford*. *Ibid.*

xcix. An Act for more effectually repairing and improving the Road from *Wendover* to the Town of *Buckingham*, in the County of *Buckingham*. 440

c. An Act to continue the Term, and alter and enlarge the Powers of an Act of the Thirty seventh Year of His present Majesty, for amending the Road from *Bolton in the Moors* to *Blackburn*, in the County Palatine of *Lancaster*; and for making a Branch of Road from the said Road to the Road leading from *Blackburn* to *Preston*; and another Branch of Road from *Mather Fold* to *Hardman's*, both in *Turton* in the said County. *Ibid.*

ci. An Act to continue and amend an Act of the Thirty third Year of His present Majesty, for repairing several Roads in and near the Town of *Brewton*, and other Roads, in the Counties of *Somerset* and *Wilts*, therein described. *Ibid.*

cii. An Act to continue the Term and alter and enlarge the Powers of Two Acts of His present Majesty, for repairing the Road from the *Alfreton* Turnpike Road, near a Place called *Little Robins*, in the Parish of *Mansfield*, in the County of *Nottingham*, to the *Nottingham* Turnpike Road near *Tansley*, in the County of *Derby*, and from *Woolley Moor* to the *Chesterfield* Turnpike Road at *Kelfridge*, in the said County of *Derby*. *Ibid.*

ciii. An Act to continue the Term and alter and enlarge the Powers of Three Acts, passed in the Second, Eleventh and Twenty second Years of His present Majesty, for repairing the Road leading from *Blyth Marsh*, in the County of *Stafford*, to the Road from *Asbourn* to *Bunton*, near *Thorp* in the County of *Derby*, and from the Road between *Cheadle* and *Leek*, to the Road above *Frogall Bridge*, and from the same Road to the said Road between *Blyth Marsh* and *Thorp* at or near *Ruehill Gate*, in the County of *Stafford*. *Ibid.*

civ. An Act to continue the Term and alter and enlarge the Powers of Two Acts, passed in the Ninth and Thirtieth Years of His present Majesty, for repairing the Road from *Cheadle* to *Botham House*, and from thence to *Butterton Moor End*, in the County of *Stafford*. 441

cv. An Act for enabling the Trustees of *George Earl of Coventry*, to cut down and sell Timber on the Estates devised to him for Life by the Will of his late Father, deceased. *Ibid.*

cvi. An Act for vesting the legal Fee of certain Estates devised by the Will of the Right Honourable *Richard* late Lord *Penryn*,
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- rhyn*, and now vested in *William Norris* Esquire, in *William Le Blanc* and his Heirs, upon the Trusts subsisting or capable of taking Effect in the said Estates. Page 441
- cvii. An Act for vesting certain Trust Estates in the surviving Trustee under the Will of *Elizabeth Boddington*, deceased. *Ibid.*
- cviii. An Act for incorporating the Archbishop of *Cashel*, the Bishop of *Leighlin* and *Ferns*, the Bishop of *Offory*, and the Dean of *Offory*, and their respective Successors for the time being, into a Corporation, to be called by the Name of 'The Trustees of the 'Asylum in the City of *Kilkenny*,' founded by *James Switsir* Esquire, and for enabling them to carry on that charitable and useful Institution, according to the Provisions of a certain Trust Deed, executed by the said *James Switsir*. *Ibid.*
- cix. An Act for vesting a Messuage and Premises near *Liverpool*, in the County of *Lancaster*, devised by the Will of *John Sparling* Esquire deceased, in Trustees in trust to sell the same, and to lay out the Monies thence arising in the Purchase of other Estates. *Ibid.*
- cx. An Act to confirm and establish certain Inclosures of Lands, within the Parish of *Rossington*, in the West Riding of the County of *York*; and also to effectuate an Exchange, lately made between the Mayor, Aldermen and Burgesses of the Borough of *Doncaster*, and the Rector of *Rossington* aforesaid. *Ibid.*
- cx. An Act for inclosing Lands in the Parish of *Newton Blossomville* otherwise *Newton Blossomville*, in the County of *Buckingham*. *Ibid.*
- cxii. An Act for allotting Lands in the Parish of *Tellestcomb* otherwise *Telscombe*, in the County of *Suffex*. 442
- cxiii. An Act for inclosing Lands in the Parishes of *Tidenham*, *Woolstone* and *Lancout*, in the County of *Gloucester*. *Ibid.*
- cxiv. An Act for inclosing Lands in the Liberty of *Berrick Prior*, and in the Manor and Parish of *Newington*, in the County of *Oxford*. *Ibid.*
- cxv. An Act for inclosing Lands in the Parishes of *Codicote*, *Welwyn* and *Knebworth*, in the County of *Hertford*. *Ibid.*
- cxvi. An Act for inclosing Lands in the Parishes of *Gladdestry* and *Colva*, in the County of *Radnor*. *Ibid.*
- cxvii. An Act for inclosing the Open Fields of *Newbold Verdon* and *Newbold Heath*, in the County of *Leicester*. *Ibid.*
- cxviii. An Act for inclosing Lands in the Parishes of *Enborne*, *Hamstead Marshall*, *Inkpen* and *Kimbury*, in the County of *Berks*. *Ibid.*
- cxix. An Act for amending an Act passed in the Thirty first Year of His present Majesty, for the better Relief and Employment of the Poor within the Hundreds of *Loes* and *Wilford*, in the County of *Suffolk*. *Ibid.*
- cx. An Act for better regulating the Statute Labour in the County of *Forfar*. *Ibid.*
- cxxi. An Act for more effectually repairing the Roads in the County of *Forfar*. 443
- cxii. An Act for making and maintaining a Navigable Canal from the Union Canal, in the Parish of *Cumley*, in the County of *Leicester*, to join the Grand Junction Canal near *Long Buckby*, in the County of *Northampton*; and for making a Collateral Cut from the said intended Canal. *Ibid.*
- cxiii. An

- cxvii. An Act for making and maintaining a Railway from *Howler Slade* in the Forest of *Deas*, in the County of *Gloucester*, to the Town of *Monmouth*; and for making other Railways therein mentioned in the Counties of *Gloucester* and *Monmouth*. Page 443
- cxviii. An Act for making and maintaining a Tunnel or Road under the River *Severn*, from the Parish of *Newnham* to the Parish of *Arlingham*, in the County of *Gloucester*. *Ibid.*
- cxix. An Act for improving the Drainage of certain Lands within the North and South West Parts of the Middle Level, Part of the Great Level of the Fens commonly called *Bedford Level*. *Ibid.*
- cxvi. An Act for inclosing Lands in the Parish of *Leuerton*, in the County of *Lincoln*; and for providing for the Repair of a certain Sea Bank within the said Parish. *Ibid.*
- cxvii. An Act for inclosing Lands in the Parish of *Leake*, in the County of *Lincoln*; and for providing for the Repair of the New Sea Bank within the said Parish. *Ibid.*
- cxviii. An Act for amending, enlarging and rendering more effectual an Act passed in the Eleventh Year of King *George* the Second, for the effectual draining and preserving of a certain Fen called *Cawdle Fen*, and other Fen Grounds in the *Isle of Ely*, in the County of *Cambridge*. *Ibid.*
- cxix. An Act for amending and rendering more effectual an Act of His present Majesty, for dividing and allotting certain Fens, called The *East* and *West Fens*, in the County of *Lincoln*; and for dividing and inclosing the Parochial Allotments, Lands and Grounds belonging to and in certain Parishes having Right of Common on the said Fens, and for declaring to what Parishes such Allotments shall belong. *Ibid.*
- cxix. An Act to amend and render more effectual an Act of His present Majesty, for erecting a new Church, to be called *Christ Church*, in the Town of *Birmingham* in the County of *Warwick*; and for providing a Maintenance and Residence for the Minister or perpetual Curate thereof. 444
- cxxi. An Act for the more equally assessing and collecting the Poor Rates within the Hamlet of *Mid End Old Town*, in the Parish of *Saint Dunstan Stebon Heath* otherwise *Stepney*, in the County of *Middlesex*, to alter, enlarge or repair a Workhouse or Workhouses of the said Hamlet, and managing the Concerns thereof. *Ibid.*
- cxixii. An Act to enable the Company of Proprietors of the *West Middlesex* Waterworks to raise a further Sum of Money; and to alter, vary, amend and enlarge the Powers of the Act passed in the Forty sixth Year of His present Majesty, for making the said Waterworks; and for extending the same. *Ibid.*
- cxixiii. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from *Buckingham*, through *Brackley*, to join the *Dauntrey* Turnpike Road near *Banbury*. *Ibid.*
- cxixiv. An Act to amend an Act, passed in the Parliament of *Ireland*, in the Thirtieth Year of His Majesty's Reign, for repairing the Turnpike Road leading from *Kinnegad* to *Athlone*. *Ibid.*
- cxixv. An Act for continuing the Term and altering and enlarging the Powers of Two Acts of His present Majesty, for repairing certain Roads lying in the Counties of *Leicester* and *Warwick*

- Warwick* and in the County of the City of *Coventry*; and for amending and keeping in Repair the Road from *Bourne* Bridge to *Blythe* Bridge in the County of *Warwick*. Page 444
- cxxxvi. An Act for making and maintaining a Road from a Place called *Ystrad*, in the Parish of *Lanfalon*, in the County of *Glamorgan*, to *Pontymoil*, near the Town of *Pontypool*, in the County of *Monmouth*, with a collateral Branch to join the *Newport* Turnpike Road at *Risca*, in the County of *Monmouth*; and for building a Bridge at or near *Ystrad* aforesaid, and another Bridge near *Penllwyn*, in the County of *Monmouth*. 445
- cxxxvii. An Act for making and maintaining a Road from *Brandesome Moss Gate*, in the Township of *Elton*, to the *Duke of York's* Publick House, in the Township of *Blackburn*, and Three several Branches of Road therefrom, all in the County Palatine of *Lancaster*. *Ibid.*
- cxxxviii. An Act to alter and amend an Act passed in the Forty fifth Year of the Reign of His present Majesty, intituled, *An Act to vest the settled Estates of John Hamilton Fitzmaurice, commonly called Lord Kirkwall, in the Counties of Denbigh and Flint, in Trustee in Trust to be sold for the Payment of Debts affecting the same, and his other settled Estates; and after Payment thereof, for the Investment of the Residue of the Monies to arise by such Sale, in the Purchase of other Estates, to be conveyed to the Uses of the said settled Estates; and for other Purposes therein mentioned.* *Ibid.*
- cxxxix. An Act for inclosing Lands in the Parish of *Dymercbion*, in the County of *Flint*. *Ibid.*
- cxl. An Act for inclosing Lands within the Manor and Parish of *Culham*, in the County of *Oxford*. *Ibid.*
- cxli. An Act for paving the Footways and Cross-paths, and lighting, cleansing and regulating the Streets, Lanes and other Publick Passages and Places in the Town and Parish of *Romsey Infra*, and in the Parish of *Romsey Extra*, in the County of *Southampton*. *Ibid.*
- cxlii. An Act for inclosing, draining and preserving Lands in the Parish of *Thirne* in the County of *Norfolk*. *Ibid.*
- cxliii. An Act for amending and enlarging the Powers of an Act of the Ninth Year of His present Majesty, for the more effectual draining and preserving certain Fen Lands and Low Grounds in the Hamlet of *Wimblington*, in the Parish of *Doddington*, and in the Parish of *Chatteris*, in the *Isle of Ely*, in the County of *Cambridge*, so far as the said Act relates to the Lands in the Second District therein described. 446
- cxliv. An Act for amending, enlarging and extending the Powers of an Act passed in the last Session of Parliament, relating to the Execution of the Commission of Sewers for the Limits from *East Moulsey* in *Surrey*, to *Ravensborne* in *Kent*. *Ibid.*
- cxlv. An Act for repairing or rebuilding the Parish Church of *Stockport* in the County Palatine of *Chester*, and for rebuilding the Tower thereof, and for making a Cemetery or Church Yard for the Use of the said Parish. *Ibid.*
- cxlvi. An Act for better and more effectually paving, lighting, cleansing watching and otherwise improving the Streets, Ways and other Publick Passages and Places in the City and County of the City of *Exeter*. *Ibid.*
- cxlvii. An

- cxlvii. An Act for forming, paving, and otherwise improving certain Streets, and other Publick Passages and Places, in the Parish of *Saint Pancras* in the County of *Middlesex*, which are or shall be made upon Ground belonging to *Joseph Lucas* Esquire. Page 446
- cxlviii. An Act to alter, amend and enlarge the Powers of Two Acts, passed for making and maintaining a navigable Canal from the River *Thames* or *Isis*, at or near the Town of *Abingdon* in the County of *Berks*, to join or communicate with the *Kennet* and *Avon* Canal, at or near the Town of *Trowbridge* in the County of *Wilts*, and also certain navigable Cuts therein described. *Ibid.*
- cxlix. An Act for making mor effectual Provision for lighting, watching, paving, cleansing, regulating and improving the Streets and other Publick Places in the Parish of *Saint Luke*, in the County of *Middlesex*. *Ibid.*
- cl. An Act for supplying with Water *Upper* and *Lower Holloway*, *Highbury*, *Cannorbury*, *Upper Islington*, and their respective Vicinities, all in the Parish of *Saint Mary*, *Islington*, in the County of *Middlesex*, and for other Purposes relating thereto. *Ibid.*
- cli. An Act for raising a further Sum of Money for carrying into Execution the several Acts passed for making Wet Docks, Basins, Cuts and other Works, for the greater Accommodation and Security of Shipping, Commerce and Revenue, within the Port of *London*. 447
- clii. An Act for authorizing the Removal of the Infirmary of the County of *Kildare* from the Town of *Kildare* to the Town of *Naas*. *Ibid.*
- cliii. An Act for repealing an Act passed in the Thirty third Year of His present Majesty, intituled *An Act. for amending, improving and keeping in Repair several Roads leading to and from the City of Bath*; and for granting other Powers for more effectually improving the several Roads therein described, being in and leading to and from the said City. *Ibid.*
- cliv. An Act for more effectually amending, widening and keeping in Repair the Roads leading from the Town of *Northampton* to *Chain Bridge*, near the Town of *Market Harborough*, and from the Direction Post in *Kingshorpe*, in the County of *Northampton*, to *Welford Bridge* in the same County. *Ibid.*
- clv. An Act to enable *Sir Henry St. John Carew St. John Mildmay* Baronet, to exercise certain Powers of jointuring and charging certain settled Estates in the County of *Essex* with Portions for younger Children. *Ibid.*
- clvi. An Act for vesting certain settled Estates late the Property of *Susanna Hake* deceased, in Trustees to be sold, and the Money arising from such Sale, to be applied for the Benefit of the Parties entitled to the said Estates. *Ibid.*
- clvii. An Act for inclosing Lands in the Divisions of *Lewknor* and *Postcomb*, in the Parish of *Lewknor* in the County of *Oxford*. *Ibid.*
- clviii. An Act for inclosing Lands in the Parish of *Kidlington* in the County of *Oxford*. *Ibid.*
- clix. An Act for inclosing Lands in the Parishes of *Stainton* and *Edlington*, in the West Riding of the County of *York*. 448
- clx. An Act for inclosing Lands in the Parish of *Cheadle*, in the County Palatine of *Chester*. *Ibid.*
- clxi. An

- clxi. An Act for inclosing Lands in the Parish of *Rothbury*, in the County of *Northumberland*. Page 448
- clxii. An Act for inclosing Lands in the Barony of *Prudhoe*; and in the Parish of *Ovingham*, in the County of *Northumberland*. *Ibid.*
- clxiii. An Act for granting certain Powers and Authorities to a Company to be incorporated by Charter to be called, "The Gas "Light and Coke Company," for making Inflammable Air for the lighting of the Streets of the Metropolis, and for procuring Coke; Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and essential Oil, from Coal, and for other Purposes relating thereto. *Ibid.*
- clxiv. An Act for building certain Offices for the Examiners, Curstors, Clerk of the Crown and Clerks of the Petty Bag, of the High Court of Chancery; and for making certain Regulations in the Examiner's Office of the said Court; and for making Provision for such of the Examiners, Deputy Examiners and Clerks, as from Length of Service, or from Age or Infirmary, are or shall be incapacitated from the due Execution of their Offices; and for making Provision for other Officers of the said Court; and for making other Payments in respect of the said Offices. 463
- clxv. An Act to alter, amend and enlarge the Powers of an Act passed in the Thirty ninth Year of His present Majesty, for better supplying the Town and Port of *Liverpool* with Water, from certain Springs in the Township of *Booth*, in the County Palatine of *Lancaster*. 477
- clxvi. An Act for amending an Act of the Twenty second Year of His late Majesty, King *Charles* the Second, so far as the same relates to the River *Brandon* otherwise the *Lesser Ouse*, from the *White House* near *Brandon Ferry* to *Thetford* in the Counties of *Norfolk* and *Suffolk*, and for improving the Navigation of the said River. 478
- clxvii. An Act for altering and enlarging the Powers of several Acts of His present Majesty, for the Improvement of the Town of *Greenock*, and the Harbours thereof; for regulating the Police; and for other Purposes mentioned in the said Acts. *Ibid.*
- clxviii. An Act for altering and amending an Act made in the Forty third Year of His present Majesty's Reign for improving the Port of the Town of *Southampton*. *Ibid.*
- clxix. An Act to amend an Act, made in the Tenth Year of His present Majesty, for paving, repairing, cleansing, lighting and watching the Streets and other publick Passages in the Town of *Southampton*. *Ibid.*
- clxx. An Act for paving and otherwise improving certain Streets, and other publick Passages and Places, which are or shall be made upon a certain Piece of Ground belonging to *Thomas Harrison* Esquire, situate in the Parish of *Saint Pancras*, in the County of *Middlesex*. *Ibid.*
- clxxi. An Act for making and maintaining a Turnpike Road from *Ashford* to or near to *Buxton*, in the County of *Derby*. *Ibid.*
- clxxii. An Act for confirming and carrying into Effect an Agreement entered into on Behalf of *Alexander* Duke of *Gordon*, and by Sir *Alexander Penrose Cumming Gordon* Baronet, deceased; and

and for enabling Sir *William Gordon Cumming Gordon* Baronet, and *Charles Lennon Cumming* Esquire, and their respective Heirs, to make Exchanges of certain Parts of their respective Entailed Estates, under the Authority and by the Directions of the Court of Session in Scotland. Page 478

clxxiii. An Act for exchanging Parts of the Fee Simple Estates of the Most Noble *Charles Duke of Norfolk*, in the Counties of *Surrey, Sussex and Middlesex*, for Parts of his Settled Estates in the County of *York*; and for vesting several Messuages and Lands, other Parts of the said Duke's Settled Estates, in the said Counties of *York, Sussex and Middlesex*, and in the County of *Nottingham*, in trust to sell; and for laying out the Monies in the Purchase of more convenient Estates. Ibid.

clxxiv. An Act for making and maintaining a Turnpike Road from *Cirencester* in the County of *Gloucester* to *Wootton Bassett* in the County of *Wilts*, and a Branch of Road from the *Malmesbury and Cirencester* Turnpike Road near *Crudenell Church*, to communicate with the Turnpike Road leading from *Cricklade* to *Malmesbury* at or near *Minety Common*. 479

clxxv. An Act for vesting certain Estates in the County of *Kent*, late of *Henry Lyell* Esquire, deceased, in Trustees, to be sold, and for applying the Money arising from the Sale thereof, for defraying the Expences of inclosing certain Lands in the County of *Cambridge*, and for investing the Surplus Money in the Purchase of other Estates, to be settled to the subsisting Uses of the Will and Codicils of the said *Henry Lyell*. Ibid.

clxxvi. An Act for empowering the Dean and Chapter of *Canterbury*, and their Lessees, *Edmund White, John White and William Parker Terry*, to grant building and repairing Leases of Lands and Buildings at *South Lambeth*, in the County of *Surrey*; pursuant to an Agreement entered into for those Purposes. Ibid.

clxxvii. An Act for enabling *Jane Player* Widow, and others, to grant Leases of certain Estates at or near *Ryde* in the *Isle of Wight*, in the County of *Southampton*, devised by the Will of the late *William Player* Esquire, pursuant to an Agreement entered into for that Purpose, and also to grant Building Leases of other Parts of the same Estates. Ibid.

clxxviii. An Act for discharging the Estate of *George Frederick Stratton* Esquire, in the Parish of *Great Tew*, in the County of *Oxford*, from certain Trusts thereof, and for substituting another Estate in the same County in lieu thereof. Ibid.

clxxix. An Act for vesting several Fee Farm Rents or Annual Sums, devised by the Will of *Robert Scott* Esquire, deceased, in Trustees, upon Trust to be sold; and for laying out the Purchase Monies, under the Direction of the High Court of Chancery, in the Purchase of other Estates, to be settled to the former Uses. Ibid.

clxxx. An Act for vesting certain Estates in the Counties of *Stafford, Salop, Chester and Buckingham*, late of the Reverend *Richard Levett, Lucy* his Wife, and *Ellen Byrd*, Spinster, in Trustees, upon trust to sell the same; and to lay out the Money arising from the Sale thereof in the Purchase of other Estates. 480

clxxxi. An Act for effectuating a Partition of certain settled Estates of of

- of *David Ross* Esquire, deceased, situate in the County of *Down* in *Ireland*, and in the City of *Bath* in *England*. Page 480
- clxxxii. An Act for effectuating a Partition directed by the Court of Chancery of certain Estates situate in the County of *Monmouth*, devised by the Wills of *John Blewitt* Esquire, and *Frances Fettiplace*, deceased. Ibid.
- clxxxiii. An Act for effecting an Exchange between the Trustees of *Henry Smith* Esquire, deceased, and *Henry Woodgate* Esquire, of Estates in the County of *Kent*. Ibid.
- clxxxiv. An Act for inclosing Lands in the Townships of *Great Longstone*, *Little Longstone* and *Wardlow*, in the County of *Derby*. Ibid.
- clxxxv. An Act for inclosing Lands in the Parishes of *Wrington*, *Tatton* and *Kenn*, in the County of *Somerset*. Ibid.
- clxxxvi. An Act for inclosing Lands in the Manor of *Cacreinion Iscoed*, in the County of *Montgomery*. Ibid.
- clxxxvii. An Act for more effectually cleansing, lighting and watching the Borough and Town of *Weymouth* and *Melcombe Regis* in the County of *Dorset*, and removing Incroachments and Annoyances therein; for licensing and regulating Chairmen and other Persons plying for Hire; for establishing Markets; and for giving further Powers to the Quay Master of the Harbour of the said Town. Ibid.
- clxxxviii. An Act to continue for Two Years an Act passed in the Forty eighth Year of His present Majesty, for preventing the Right of Presentation to the Rectory and Parish of *Simonburn*, in the County of *Northumberland*, from lapsing, for a limited Time. Ibid.
- clxxxix. An Act to amend and enlarge the Powers of an Act passed in the Forty fifth Year of His present Majesty, for assessing the Proprietors of Lands in the County of *Ross*, towards the Expence of making and supporting certain Roads and Bridges therein, and of an Act passed in the Forty seventh Year of His present Majesty, for regulating and converting the Statute Labour in the Counties of *Ross* and *Cromarty*, and Part of the County of *Nairn*, locally situated in the County of *Ross*. 481
- cxc. An Act to alter, amend and enlarge the Powers of so much of an Act, passed in the Fourth Year of His present Majesty, as relates to the maintaining, regulating and employing the Poor within the Parish of *Saint John* at *Hackney*, in the County of *Middlesex*. Ibid.
- xcxi. An Act for extinguishing all Right of Common in, over and upon certain Parcels of Land in *Saint George's Fields*, in the County of *Surrey*; and for repealing so much of Two Acts passed in the Twenty sixth and Forty seventh Years of His present Majesty, as prevents the erecting Buildings on certain Parts of the said Parcels of Land, within a limited Distance from the Sides of such of the Roads therein mentioned as abut thereon; and for improving *Saint George's Fields* aforesaid. Ibid.
- xcxii. An Act for the better Management of the Foundling Hospital in *Dublin*, and for amending and further continuing an Act passed in the Parliament of *Ireland*, in the Fortieth Year of His present Majesty, for the better Management, Support and Maintenance of

of the Foundling Hospital in *Dublin*; and for amending and further continuing an Act, passed in the Thirty eighth Year of His Majesty, for the better Management of the Workhouse and Foundling Hospital in *Dublin*. Page 481

exciii. An Act to incorporate and regulate an Institution, to be called "*The Belfast Academical Institution*," for affording to Youth a Classical and Mercantile Education. *Ibid.*

exciv. An Act to alter, amend and render more effectual Two Acts of the Twenty ninth Year of His late Majesty, and the Fortieth Year of His present Majesty, for draining and preserving certain Fen Lands, in the *Isle of Ely*, and County of *Norfolk*, lying between the *Hundred Foot River* and the *Ouse*, and bounded on the South by the Hard Lands of *Mepall*, *Wicham*, *Wentworth*, *Wickford*, *Ely*, *Downham* and *Littleport*; and for empowering the Governor, Bailiffs and Commonalty of the Company of Conservators of the Great Level of the Fens, commonly called *Bedford Level*, to sell certain Lands lying within the Limits aforesaid, called Invested Lands. *Ibid.*

excv. An Act for vesting a certain Plot of Land on *Wandon* otherwise *Wavendon* Heath in the County of *Buckingham*, in the Most Noble *John Duke of Bedford* in Fee Simple, and for charging the same and certain Estates of the said Duke with a perpetual Annual Rent Charge, to be payable to the Churchwardens and Overseers of the Poor of the Parish of *Wandon* otherwise *Wavendon* in the said County, in Manner and upon the Trusts therein mentioned. 482

excvi. An Act for vesting the settled Estates at *Eltham*, in the County of *Kent*, of the Right Honourable *George Augustus Henry Anne Lord Raneliffe*, in Trustees upon Trust, to sell the same, or to make Grants in Fee, or Leases of the same, for the Purpose of building; and to lay out the Monies arising by such Sales in the Purchase of other Estates to be settled to the same Uses. *Ibid.*

excvii. An Act for exchanging the entailed Estate of the Right Honourable *Amabell Baroness Lucas*, in the County of *Wilts*, for other Estates of the said Baroness *Lucas*, the Right Honourable *Mary Jemima Dowager Lady Grantham*, and the Right Honourable *Thomas Philip Lord Grantham*, in the Counties of *Essex* and *Suffolk*, and for varying the Powers of Leasing in the Settlement of the said Estates in the Counties of *Essex* and *Suffolk*. *Ibid.*

excviii. An Act for vesting the Lease of the Governors of *Bethlem Hospital* in the Scite of the Hospital, in the Mayor and Commonalty and Citizens of the City of *London* by whom it was granted; and for authorizing the said Mayor and Commonalty and Citizens to grant certain Lands in *Saint George's Fields*, in lieu thereof, to Trustees for the Governors of the said Hospital for the like Term, for the Purpose of erecting a new Hospital thereon on an enlarged Scale. *Ibid.*

excix. An Act for empowering the surviving Trustees under the Will of *Robert Austen Esquire*, deceased, to cut down certain Timber Trees on the devised Estates in the County of *Surrey*, and for applying the Monies thence arising in the Purchase of Estates, to be settled to the subsisting Uses of the same Will. *Ibid.*

cc. An Act for enabling *George Byng Esquire*, and others, to grant Building

13. An Act for inclosing Lands in the Parishes of *Blebbingley* and *Horne*, in the County of *Surrey*.

14. An Act for inclosing Lands in the Parish of *Stanway*, in the County of *Gloucester*.

[*And for making Compensation for Tithes.*]

15. An Act for inclosing Lands in the Township of *Tollerton*, in the Parish of *Alne*, in the North Riding of the County of *York*.

[*And for making Compensation for Tithes.*]

16. An Act for inclosing Lands in the Parish of *Thuxton*, in the County of *Norfolk*.

17. An Act for inclosing Lands in the Hamlet or Township of *Whitfield*, in the Manor and Parish of *Glossop*, in the County of *Derby*.

18. An Act for inclosing Lands in the Manor and Parish of *Chitterne Saint Mary*, in the County of *Wilts*.

19. An Act for inclosing Lands in the Parish of *Hastlingfield*, in the County of *Cambridge*.

20. An Act for inclosing Lands in the Parish of *Lewisbam*, in the County of *Kent*.

21. An Act for inclosing Lands in the Parish of *Hemby*, in the County of *Norfolk*.

22. An Act for inclosing Lands in the Parishes of *Hardley* and *Langley*, in the County of *Norfolk*.

23. An Act for inclosing Lands in the Township of *Badsworth*, in the County of *York*.

24. An Act for inclosing Lands in the Manor and Parish of *Holt*, in the County of *Worcester*.

25. An Act for inclosing Lands in *Hunsbelf*, in the West Riding of the County of *York*.

[*And for making Compensation for Tithes.*]

26. An Act for inclosing Lands in the Townships of *Attercliffe* and *Darnal*, in the Parish of *Sheffield*, in the County of *York*.

27. An Act for inclosing the Common Fields, Common and Waste Grounds, within the Manor and Township of *Garforth*, in the West Riding of the County of *York*.

28. An Act for inclosing Lands in the Parish of *Sedgberrow*, in the County of *Worcester*.

[*And for making Compensation for Tithes.*]

29. An Act for inclosing Lands in the Parish of *Selling*, in the County of *Kent*.

[*Allotment to His Majesty.*]

30. An Act for allotting Lands in the Parish of *Barley*, in the County of *Hertford*.

31. An Act for naturalizing *Paul William Bertheau*.

32. An Act for naturalizing *Frederick James Horn*.

33. An Act for naturalizing *Frederick Sack*.

34. An Act for inclosing Lands within the Parishes of *Leiston* and *Theberton*, in the County of *Suffolk*.

35. An Act for inclosing Lands in the Manor of *Amberley*, in the County of *Suffex*.

[*And for making Compensation for Tithes.*]

36. An Act for inclosing Lands in the Manor of *Brundholme*, in the County of *Cumberland*.

37. An

37. An Act for inclosing Lands in the Parishes of *Llangunnor* and *Llanddarog*, in the County of *Carmarthen*.

38. An Act for inclosing Lands in the Manor and Parish of *Tborington*, in the County of *Essex*.

[And for making Compensation for Tithes.]

39. An Act for inclosing Lands in the Parish of *Roxton*, in the County of *Bedford*.

[And for making Compensation for Tithes.]

40. An Act for inclosing Lands in the Hamlet of *Pensham*, in the Parish of *Saint Andrew* in *Perfbore*, in the County of *Worcester*.

[And for making Compensation for Tithes.]

41. An Act for inclosing Lands in the Parish of *Walditch*, in the County of *Dorset*.

42. An Act for inclosing Lands in the Parish of *Alvington*, in the County of *Gloucester*.

[And for making Compensation for Tithes.]

43. An Act for inclosing Lands in the Parish of *Horley*, in the County of *Surrey*.

44. An Act for inclosing Lands in the Manor of *Allerpeverell*, in the Parish of *Columpton*, in the County of *Devon*.

45. An Act for inclosing Lands within the Manor of *Bonehill* otherwise *Bunhill*, in the Parish of *Bromsgrove*, in the County of *Worcester*.

46. An Act for inclosing Lands in *Portsea*, in the County of *Southampton*.

47. An Act for inclosing Lands in the Parish of *Fridaythorpe*, in the East Riding of the County of *York*.

[And for making Compensation for Tithes.]

48. An Act for inclosing Lands within the Manor of *Soulby*, in the County of *Westmorland*.

49. An Act for inclosing Lands in the Township of *Wath upon Dearne*, in the County of *York*.

50. An Act for inclosing Lands in that Part of the Parish of *Boston*, in the County of *Lincoln*, called *Boston East*.

[And for making Compensation for Tithes.]

51. An Act for inclosing Lands in the Township and Parish of *Gilling*, in *Richmondsbire*, in the County of *York*.

[And for making Compensation for Tithes.]

52. An Act for inclosing the Commons and Waste Lands in the Manors of *Glyndysfrdwy* otherwise *Glyndwrdwy*, *Rûg* and *Gwydde luern*, in the County of *Merioneth*.

53. An Act for inclosing Lands in the Parish of *Fishtoft*, in the County of *Lincoln*.

[And for making Compensation for Tithes.]

54. An Act for inclosing Lands in the Parish of *Gosforth*, in the County of *Cumberland*.

[And for making Compensation for Tithes.]

55. An Act for confirming and establishing the Division and Inclosure of certain Lands in the Township of *Great Sheehey*, in the Parish of *Sheehey*, in the County of *Leicester*.

[And for making Compensation for Tithes.]

56. An Act for inclosing Lands in the Parishes of *Llanaber*, *Llanddwywe*, *Llanenddwyn*, *Llanbedr* and *Llanfair*, in the County of *Merioneth*.

[Allotment to the King in lieu of his Right and Interest in the Soil.]

The TITLES of the STATUTES,

57. An Act for inclosing Lands in the Parish of *Litton Cheney*, in the County of *Dorset*.
58. An Act for allotting Lands in the Parishes of *Winterborn Stalye* and *Stapleford*, in the County of *Wilts*.
59. An Act for inclosing Lands in the Parish of *Weston super Mare*, in the County of *Somerset*.
60. An Act for inclosing Lands in the Parish of *Sibsey*, in the County of *Lincoln*.
[*And for making Compensation for Tithes. No Lease of Vicarial Allotments without Consent of the King, as Patron of the Vicarage of Sibsey.*]
61. An Act to enable *Robert Gordon Esquire*, and *Elizabeth Anne* his Wife, notwithstanding the Minority of the said *Elizabeth Anne Gordon*, to make a Settlement of her Estates, pursuant to Articles entered into previously to their Marriage.
62. An Act for inclosing Lands in the Township of *Thorp Audlin*, in the Parish of *Badsworth*, in the West Riding of the County of *York*.
[*And for making Compensation for Tithes. Allotment to the King in right of His Duchy of Lancaster, as Lord of the Honor of Pontefract.*]
63. An Act for inclosing Lands in the Parish of *Datchet*, in the County of *Buckingham*.
[*And for making Compensation for Tithes.*]
64. An Act for confirming and establishing the Division, Allotment and Inclosure of a certain Common or Parcel of Waste Land called *Mare Heath*, and other Waste Lands within the Manor and Parish of *Mare*, in the County of *Stafford*.
65. An Act for inclosing Lands in the Parish of *Saddleworth*, in the West Riding of the County of *York*.
66. An Act for inclosing Lands within the Parishes of *Stoke Poges* and *Wexham*, in the County of *Buckingham*.
[*And for making Compensation for Tithes.*]
67. An Act for dividing and allotting Lands in the Parish of *Ickleton*, in the County of *Cambridge*.
[*And for making Compensation for Tithes.*]
68. An Act for inclosing Lands in the Parish of *Teversham*, in the County of *Cambridge*.
[*And for making Compensation for Tithes.*]
69. An Act for inclosing Lands in the Townships of *West Cottingham* and *Thorganby*, in the Parish of *Thorganby*, in the East Riding of the County of *York*.
[*And for making Compensation for Tithes.*]
70. An Act for inclosing Lands in the Township of *Goudborpe*, in the Parish of *Bishop Wilton*, in the County of *York*.
[*And for making Compensation for Tithes.*]
71. An Act for inclosing Lands in the Parish of *Gayton* otherwise *Geyton*, in the County of *Norfolk*.
72. An Act for inclosing Lands in the Parish of *Tibberton*, in the County of *Warcester*.
[*And for making Compensation for Tithes.*]
73. An Act for inclosing Lands in the Townships of *Hutton Conyers*, *Rainton with Newby* and *Melmerby*, in the North Riding of the County of *York*.

74. An Act for inclosing Lands in the Parish of *Kingston*, in the County of *Cambridge*.

[And for making Compensation for Tithes.]

75. An Act for inclosing Lands in the Parish of *Pitton and Farley*, in the County of *Wilts*.

76. An Act for inclosing Lands in the Parish of *West Monkton*, in the County of *Somerset*.

77. An Act for naturalizing *Peter Mæe*.

78. An Act for naturalizing *Andrew Sandmark*.

79. An Act for empowering the Judges of the Court of Session in *Scotland* to sell certain Parts of the Lands contained in a Deed of Entail made by the late *John Earl of Hyndford*, and to apply the Price to be received for the said Parts in the Purchase of the Lands of *Scotston* lying contiguous to the said entailed Estates, and to apply any Surplus of the said Price in manner therein mentioned.

80. An Act for exchanging Part of the Fee Simple Estate of *John Powell Esquire*, situate in the County of *Salop*, for other his settled Estates in the County of *Montgomery*.

81. An Act for inclosing Lands in the Township of *Stepleton*, in the Parish of *Presleign*, in the County of *Hereford*.

82. An Act for inclosing Lands in the Parish of *Wigmore*, in the County of *Hereford*.

83. An Act for inclosing Lands in the Parish of *Eckington*, in the County of *Worcester*.

[And for making Compensation for Tithes.]

84. An Act for inclosing Lands in the Manor of *Asbridge*, in the County of *Wilts*.

85. An Act to dissolve the Marriage of *William Guard Esquire*, with *Margaret Letitia* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

86. An Act for vesting the Manor of *Pembroke* otherwise *Monkton*, and other Hereditaments in the County of *Pembroke*, granted by Queen *Elizabeth* to *Robert Earl of Essex*, and the Heirs Male of the Body of *Sir Walter Devereux*, Lord of *Ferrers* and *Chartley*, in Trustees to be conveyed to *John Owen Esquire*, for the Consideration therein mentioned; and for laying out the Money arising thereby in the Purchase of other Estates to be settled in lieu thereof and to the same Uses.

87. An Act for inclosing Waste Lands within the Manor of *Waltham Saint Lawrence*, and also in so much of the Manor of *Hall* as lies within the Parish of *Waltham Saint Lawrence*, in the County of *Berks*.

[And for making Compensation for Tithes.]

88. An Act for inclosing a certain Common or Waste Ground called *Battisford Tye*, in the Parish of *Battisford*, in the County of *Suffolk*.

89. An Act for inclosing Lands in the Parish of *Launton*, in the County of *Oxford*.

90. An Act to amend, alter and explain an Act*, passed in the Forty eighth Year of His present Majesty, for inclosing Lands in the Township of *Langford*, in the Counties of *Berks* and *Oxford*, or one of them.

91. An

91. An Act for naturalizing the Right Honourable Catherine Countess of *Pembroke* and *Montgomery*.
92. An Act for naturalizing *Andrew Joseph Gesli Carrighan*.
93. An Act for naturalizing *Paul Theodore Favre*.
94. An Act for allotting Lands in the Parish of *Withcall*, in the County of *Lincoln*.
[*And for making Compensation for Tithes. No Lease of Ecclesiastical Allotments without Consent of the King, as Patron of the Rectory of Withcall.*]
95. An Act for naturalizing *Hans George Gron*.
96. An Act for naturalizing *Jobann Christian Burckhardt*.

THE STATUTES AT LARGE.

Anno Regni GEORGII III. Britanniarum Regis,
Quinquagesimo.

‘ **A**T the Parliament begun and holden at *Westminster*, the Twenty
‘ second day of *June*, *Anno Domini* 1807, in the Forty seventh
‘ Year of the Reign of our Sovereign Lord *GEORGE* the Third, by
‘ the Grace of God, of the United Kingdom of *Great Britain* and
‘ *Ireland*, King, Defender of the Faith; and from thence continued
‘ by several Prorogations, to the Twenty third day of *January* 1810,
‘ being the Fourth Session of the Fourth Parliament of the United
‘ Kingdom of *Great Britain* and *Ireland*.

C A P. I.

An Act for continuing to His Majesty certain Duties on Malt, Sugar, Tobacco and Snuff, in *Great Britain*; and on Pensions, Offices and Personal Estates in *England*, for the Service of the Year One thousand eight hundred and ten.

[20th February 1810.]

[See 49 G. 3. c. 1. to which this Act (except the Dates, and except the Recital of 49 G. 3. c. 55. in Section 19. in addition to the 48 G. 3. c. 102. appointing Commissioners, and the Recital of the 49 G. 3. c. 1. as continuing the Duties) is in all Respects similar.]

C A P. II.

An Act for raising the Sum of Ten Millions five hundred thousand Pounds by Exchequer Bills, for the Service of *Great Britain* for the Year One thousand eight hundred and ten.

[12th March 1810.]

“ Treasury impowered to raise 10,500,000*l.* by Exchequer Bills, in
“ Manner prescribed by 48 G. 3. c. 1.—§ 1, 2. Principal of said Bills
“ charged on First Supplies of next Session. § 3. Interest thereon of
“ $3\frac{1}{2}$ per Cent. per Diem. § 4. Said Bills to be current at the Exche-
“ quer, &c. after April 5, 1811. § 5. Bank of *England* empowered
“ to advance 6,500,000*l.* on the Credit of this Act, notwithstanding
“ § & 6 *W. & M. c. 20.*—§ 6. Act may be altered or repealed this
“ Session. § 7.

C A P. III.

An Act for raising the Sum of One Million five hundred thousand Pounds, by Exchequer Bills, for the Service of *Great Britain* for the Year One thousand eight hundred and ten.

[12th March 1810.]

[On the like Terms as under c. 2. of this Session.]

C A P. IV.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments; and for extending the Times limited for those Purposes respectively, until the Twenty fifth Day of *March* One thousand eight hundred and eleven; and to permit such Persons in *Great Britain* as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors, to make and file the same on or before the First Day of *Hilary* Term one thousand eight hundred and eleven. [2th *March* 1810.]

C A P. V.

An Act to prohibit the Distillation of Spirits from Corn or Grain in *Great Britain*, for a limited Time; and to continue, until Four Months after the Expiration of such Prohibition, an Act of the last Session of Parliament, ~~to~~ suspend the Importation of *British* or *Irish*-made Spirits into *Great Britain* or *Ireland* respectively. [12th *March* 1810.]

42 G. 3. c. 7.

continued as to
Great Britain, till
Dec. 31, 1810.

‘ WHEREAS it is expedient that the Provisions of an Act passed in the last Session of Parliament, intituled, *An Act to prohibit the Distillation of Spirits from Corn or Grain in the United Kingdom for a limited Time*, should be continued for a Time to be limited, as far as the same regard *Great Britain*:’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Provisions of the said Act, and all and every the Matters and Things therein contained, shall be and the same is and are hereby continued, as far as the same regard that Part of the United Kingdom called *Great Britain*, until the Thirty-first Day of *December* One thousand eight hundred and ten.

His Majesty,
after Oct. 1,
1810, may per-
mit Distillation
from Grain
(Wheat except-
ed), and may ex-
tend the Time of
Prohibition:

II. Provided always, and be it further enacted, That in case His Majesty at any Time after the First Day of *October* One thousand eight hundred and ten, shall in His Royal Discretion judge it to be for the Benefit and Advantage of that Part of the United Kingdom called *Great Britain*, to permit the making of Worts or Wash for Distillation from Oats, Barley, or any other Corn or Grain (Wheat excepted), or from Malt, Flour or Bran, then, and in such Case, it shall and may be lawful to and for His Majesty, by His Royal Proclamation or Proclamations, to be issued by and with the Advice of His Privy Council, or by His Majesty’s Order in Council, to be published from time to time in the *London Gazette*, to permit and suffer all and every Person or Persons, (but not any particular Person or Persons,) at any time or times not less than Thirty Days from the Date of such Proclamation or Order in Council, to make Worts or Wash for Distillation from Oats, Barley or any other Corn or Grain (Wheat excepted), or from any Malt, Flour or Bran; or in case His Majesty, at any Time after the said First Day of *October* One thousand eight hundred and ten, shall in His Royal Discretion judge it

it to be for the Benefit and Advantage of that Part of the United Kingdom called *Great Britain*, further to continue the Prohibition of the Distillation of Spirits from Corn or Grain, from the said Thirty first Day of *December* One thousand eight hundred and ten, until Forty Days after the then next Meeting of Parliament, then, and in such Case, it shall and may be lawful to and for His Majesty, by His Royal Proclamation or Proclamations, to be issued by and with the Advice of His Privy Council, or by His Majesty's Order in Council, to be published from time to time in the *London Gazette*, to continue throughout that Part of the United Kingdom called *Great Britain*, from the said Thirty first Day of *December* One thousand eight hundred and ten, until Forty Days after the next Meeting of Parliament the Prohibition hereinbefore mentioned, (that is to say), that throughout that Part of the United Kingdom called *Great Britain*, during the Continuance of such Prohibition, no Worts or Wash for Distillation shall be made from Oats, Barley or any other Corn or Grain, or from Malt, Flour or Bran, or any Mixture with the same.

‘ III. And whereas an Act was passed in the last Session of Parliament, intituled, *An Act to suspend the Importation of British or Irish-made Spirits into Great Britain or Ireland respectively until the First Day of June One thousand eight hundred and nine*, which Act was further continued by another Act passed in the last Session of Parliament, until the Twenty fifth Day of *March* One thousand eight hundred and ten: And whereas it is expedient that all the Provisions for preventing the Importation of *British or Irish-made* Spirits into *Great Britain or Ireland* respectively should be further continued:’ Be it therefore enacted, That all the Powers and Provisions in the first recited Act contained (except as far as respects the Remission of the Penalty for the Forfeiture of any Spirits arriving in *Great Britain or Ireland* respectively, within a Time therein limited) shall continue and be in force from the Expiration of the last recited Act until Four Months after the Expiration of the Time which shall be fixed under the Authority of this Act for prohibiting the Distillation of Spirits from Grain in *Great Britain*.

49 G. 3. c. 8.

further continued (except the Remission of a Penalty.)

IV. And be it further enacted, That this Act may be varied, altered or repealed, by any Act to be passed in this present Session of Parliament.

Act may be varied, &c.

C A P. VI.

An Act to enable His Royal Highness *George* Prince of *Wales* to grant Leases of certain Lands and Premises called *Prince's Meadows*, in the Parish of *Lambeth*, in the County of *Surrey*, Parcel of His said Royal Highness's Duchy of *Cornwall*, for the Purpose of building thereon.

[12th *March* 1810.]

‘ WHEREAS by an Act passed in the Forty ninth Year of the Reign of His present Majesty, intituled, *An Act for building a Bridge over the River Thames, from the Precincts of the Savoy, or near thereunto, in the County of Middlesex, to the opposite Shore, and for making convenient Roads and Avenues to communicate therewith in the County of Surrey*, the Company of Proprietors of the said

49 G. 3. c. xcii.

intended Bridge are authorized to set out and make a Road from the
 said Bridge, to or near to a certain Place called the *Obelisk*, in *Saint*
George's Fields, in the Parish of *Saint George's Southwark*, in the
 said County of *Surrey*; and also to set out and make another
 Road, from a certain Street called *Stamford-street*, in the Parish of
Christ Church, in the said County of *Surrey*, into the said first
 mentioned Road; and the said Company of Proprietors are fur-
 ther authorized to purchase a certain Slip, or Piece of Land, which
 in the making and constructing of the said first mentioned Road,
 will intervene between such Road and the Estate and Premises of
 His Royal Highness the Prince of *Wales*, as Duke of *Cornwall*,
 called *Prince's Meadows*, in the Parish of *Saint Mary Lambeth*,
 in the County of *Surrey*, and to assign, transfer and set over the
 said Slip or Piece of Land unto His said Royal Highness, His
 Heirs and Successors, Dukes of *Cornwall*, in exchange for such Por-
 tion of Land, Parcel of the said Premises, called *Prince's Meadows*,
 as shall be requisite for the making and constructing of the said before
 mentioned Roads, in their Course through and over certain Parts
 of the said Premises called *Prince's Meadows*: And whereas the
 erecting of the said intended Bridge, to be called the *Strand*
Bridge, and the making and constructing of the said intended
 Roads, together with the before mentioned Exchange of Land so
 authorized as aforesaid, will tend greatly to the Improvement of the
 said Premises called *Prince's Meadows*, in connection with all the
 adjoining Property, if Encouragement shall be given for the Erec-
 tion of good and substantial Dwelling Houses and other Buildings,
 in lieu of the present Houses, most of which are constructed
 chiefly of Wood, and are in a ruinous State, producing, with the
 Remainder of the said Premises, a present gross Rental to the Les-
 sees of about Three thousand two hundred Pounds only *per annum*;
 and also for the Construction of other respectable Buildings in the
 Line of the said intended Roads, and the making of other Roads
 or Streets to communicate with the before mentioned intended
 Roads; all which might be effected, if His said Royal Highness
 was empowered to grant Leases of the said Premises, upon such
 Terms as might be for the mutual Benefit of His said Royal
 Highness and His Successors: And whereas the said Premises
 called *Prince's Meadows*, contain altogether, by Admeasurement,
 Twenty eight Acres, Three Roods, and Ten Perches of Land,
 or thereabout, and comprize within the Limits thereof a Range of
 Wharfs, with Two Bargehouses, altogether abutting upon the
River Thames, to the Extent of One thousand two hundred and
 fifty two Feet, or thereabout, behind which Wharfs and Barge-
 houses there is a narrow Road or Street, called the *Narrow Wall*,
 the irregular and winding Course whereof precludes several of the
 said Wharfs from occupying a sufficient Space in Depth from the
 said River, but which might be remedied, and the Public be more
 conveniently accommodated, by the making and constructing of
 another Road or Street across the said Premises called *Prince's*
Meadows, in lieu of, and somewhat further removed from the said
 River, than the before mentioned Road or Street called the *Narrow*
Wall, in which the present Buildings are for the most Part con-
 structed of Wood, and otherwise are of a very inferior Description,
 and some of them in a very ruinous State, and the Remainder of
 the

' the said Premises consists principally of Meadow or Pasture Land
 ' and Garden Ground, there being only a small Portion thereof
 ' covered with Buildings: And whereas by an Act of Parliament 32 G. 3. c. 78.
 ' passed in the Thirty third Year of the Reign of His present Ma-
 ' jesty, intituled, *An Act to enable His Royal Highness George Prince*
 ' *of Wales to make Leases, Copies and Grants of Offices, Lands and*
 ' *Hereditaments, Parcel of His said Royal Highness's Duchy of Corn-*
 ' *wall, or annexed to the same; and for the other Purposes therein men-*
 ' *tioned*; His said Royal Highness, in addition to the ordinary Powers § 3.
 ' thereby vested in His said Royal Highness, of making Leases and
 ' Grants for the Term of Thirty one Years, or for Terms of Years
 ' determinable upon Three Lives, is further empowered to make
 ' Leases and Grants of any Lands, Tenements or Hereditaments,
 ' Parcel of the Possessions of the said Duchy of *Cornwall*, or annex-
 ' ed to the same, for any Term of Years not exceeding the Term of
 ' Ninety nine Years, expressly for the Purpose of improving the same,
 ' by erecting substantial Buildings thereon, or for the Purpose of im-
 ' proving Waste Lands by Cultivation or otherwise; provided that
 ' upon all such Leases or Grants so to be made for Terms ex-
 ' ceeding Thirty one Years, or exceeding the usual Term determin-
 ' able upon Three Lives, improved Annual Ground Rents should be
 ' reserved, payable to His said Royal Highness, or to such as should
 ' have the Inheritance or other Estate of the said Duchy; and that
 ' in all such Cases no Fine or other Consideration should be taken by
 ' His said Royal Highness, further or other than the improved An-
 ' nual Ground Rents so directed to be reserved as aforesaid: And
 ' whereas the said before recited Provision against the taking of Fines
 ' in all Cases of Leases or Grants to be made by His said Royal
 ' Highness for Terms exceeding Thirty one Years, or exceeding the
 ' usual Term determinable upon Three Lives, was not intended to
 ' deprive His Royal Highness of the accustomed Benefit of Fines to
 ' be received, in the ordinary Course of granting Renewals in like
 ' Manner as such Fines might now be received by His said Royal
 ' Highness, in respect to the said Premises called *Prince's Meadows*,
 ' by confining the future Leases or Grants thereof to such Terms
 ' of Years as, with the existing Terms therein, would not exceed the
 ' ordinary Period of Thirty one Years, but which Period is of a
 ' Duration too limited to afford sufficient Encouragement for the
 ' erecting of any substantial Buildings, whilst the continuing so to
 ' grant the said Premises for short Terms of Years will not only
 ' have the Effect of excluding them from the Improvement whereof
 ' they are from Situation susceptible, but may at the same time
 ' occasion the said Premises to remain an Interruption to any general
 ' Plan for the Improvement of the Neighbourhood, which at present
 ' stands so much in Need thereof: And whereas it would not be ad-
 ' visable, under the Circumstances before mentioned, to make any
 ' immediate Leases or Grants of the said Premises called *Prince's*
 ' *Meadows*, for such Term only as, with the existing Term or Terms
 ' therein, would fill up the same to the ordinary Period of Thirty
 ' one years, more especially as the said Premises could not be made
 ' to produce, under a Lease or Leases to be granted for such limit-
 ' ed Term of Years, a greater Income than the Sum of Four thou-
 ' sand two hundred Pounds Yearly, clear of all Out-goings, whilst
 ' under a Lease or Leases to be granted for extending the Term to
 ' Ninety

The Prince of
Wales empower-
ed to make
Leases of the
Premises herein
described.

‘ Ninety nine Years absolute, the Ground might be covered with
‘ respectable Houses, and the clear Income to be derived therefrom
‘ be increased to Five thousand Pounds yearly: But forasmuch
‘ as His said Royal Highness, by granting Building Leases for such
‘ an extended Term of Years, would be deprived of the Benefit of such
‘ Fine or Fines as may rightfully belong to His said Royal Highness,
‘ and could be readily obtained by making Reversionary Grants of
‘ the said Premises for filling up the present Terms therein to
‘ Thirty one Years:’ Be it therefore enacted by the King’s most
Excellent Majesty, by and with the Advice and Consent of the
Lords Spiritual and Temporal, and Commons, in this present Parlia-
ment assembled, and by the Authority of the same, That from and
after the passing of this Act, it shall and may be lawful for His said
Royal Highness, and His said Royal Highness is hereby authorized
and empowered to make Leases and Grants, or to contract and agree
for Himself, His Heirs and Successors, to make Leases and Grants,
of all or any Part or Parcel of the said Premises, with the Appur-
tenances, called *Prince’s Meadows*, to any Person or Persons
whomsoever, for such Term or Terms of Years as, with the Term
or Terms in being, under any existing Lease or Leases, shall not
altogether exceed the Term of Ninety nine Years from the Date of
any such Leases or Grants, or from the Date of any Contracts or
Agreements to be made as aforesaid, at and under such improved
Yearly Rent or Rents, (in addition to the Yearly Rent or Rents now
reserved as aforesaid,) to commence and become payable to His said
Royal Highness, His Heirs and Successors, from and after the Ex-
piration of Thirty one Years from the Date of any such Leases or
Grants, Contracts or Agreements respectively, as shall not, in the
whole Amount of such Rent or Rents, be less than the clear Sum of
Five thousand Pounds yearly; and that in all Cases of such extended
Leases or Grants, Contracts or Agreements so to be made as aforesaid,
of all or any Part or Parcel of the said Premises, with the
Appurtenances called *Prince’s Meadows*, it shall and may be lawful
for His said Royal Highness, and His said Royal Highness is hereby
authorized and empowered to take and receive such Sum or Sums of
Money, in the Way of Fine or Fines, as may be a fair and reason-
able Consideration for such Portion of the said extended Term or
Terms of Years so to be granted or contracted for as aforesaid, as
with the Term or Terms then in being would, in the ordinary Course
of granting Renewals within the said Duchy have made up the Term
of Thirty one Years only from the Date of any such Leases or Grants,
Contracts or Agreements.

General Saving.

II. Saving always, to all and every Person and Persons, Bodies
Politick and Corporate, their Heirs and Successors, Executors,
Administrators and Assigns, (other than His said Majesty, His Heirs
and Successors, and other than His said Royal Highness the Prince
and His Heirs, and all and every Person and Persons that shall here-
after have, inherit and enjoy the said Duchy of *Cornwall* by force
of any Act of Parliament or other Limitation whatsoever), all such
Rights, Titles, Estates, Interests, Tenures, Terms, Claims and
Demands whatsoever, of, in, to or out of the said Premises called
Prince’s Meadows, with the Appurtenances, or any Part or Parcel
thereof, as they, or any of them, had or ought to have had, before
the making of this Act, to all Intents and Purposes, and in as large
and

and ample Manner and Form as if this Act had never been made; this Act or any Thing herein contained to the contrary notwithstanding.

C A P. VII.

An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.

[21st March 1810.]

“ Number of Forces 98,780. § 1.

XXXI. And for the more effectual Notification thereof to the several Judges and Persons hereinafter mentioned, be it further enacted by the Authority aforesaid, That Copies of all such Articles of War, printed by the King's Printer, shall, from time to time, as soon as conveniently may be after the same shall have been made and established by His Majesty, be transmitted by His Majesty's Secretary at War for the time being, signed with his own Hand and Name, to the Judges of His Majesty's superior Courts at *Westminster, Dublin and Edinburgh*, respectively, and also to the Governors of His Majesty's Colonies, Plantations and Territories abroad.

Copies of Articles of War to be transmitted to Judges, &c.

LXXIV. Provided nevertheless, and it is hereby enacted and declared by the Authority aforesaid, That from and after the said Twenty fourth Day of *March* One thousand eight hundred and ten, when and as often as any Person or Persons shall be enlisted as a Soldier or Soldiers in His Majesty's Land Service, he or they shall, within Four Days, but not sooner than Twenty four Hours, after such enlisting respectively, be carried or go with some Officer, Non-commissioned Officer or Private Soldier belonging to the Recruiting Party by which he shall be enlisted, or with the Person employed on the Recruiting Service with whom he shall have enlisted, before some Justice of the Peace of any County, Riding, City or Place, or Chief Magistrate of any City or Town Corporate, residing or being next to, or in the Vicinity of the Place, and acting for the Division or District where such Person or Persons shall have been enlisted, and not being an Officer in the Army, and before such Justice or Chief Magistrate he or they shall be at Liberty to declare his or their Dissent to such enlisting; and upon such Declaration, and returning the Enlisting Money, and also each Person so dissenting paying the Sum of Twenty Shillings for the Charges expended or laid out upon him, together with such full Rate allowed by Law for the Subsistence or Diet and Small Beer furnished to such Recruit subsequent to the Period of his having been enlisted, such Person or Persons so enlisting shall be forthwith discharged and set at Liberty, in the Presence of such Justice or Chief Magistrate; but if such Person or Persons shall refuse or neglect, within the Space of Twenty four Hours, to return and pay such Money as aforesaid, he or they shall be deemed and taken to be enlisted, as if he or they had given his or their Assent thereto before the said Justice or Chief Magistrate; and if such Person or Persons shall declare his or their having voluntarily enlisted himself or themselves, then such Justice or Chief Magistrate shall, and he is hereby required forthwith to read over, or, in his own Presence, to cause to be read over, to such Person or Persons the Third and Fourth Articles of the Second Section,

Proviso for Persons hastily enlisting.

Recruits enlisted under 39 G. 3. c. 109. for East India Company's Service, &c. shall take Oath of Allegiance.

Name and Residence of Recruits.

In what Case Justices may discharge Persons hastily enlisting.

and the First Article of the Sixth Section of the Articles of War against Mutiny and Desertion, and to tender and administer to such Person or Persons respectively, not only the Oath of Fidelity mentioned in the said Articles of War, but also the Oath mentioned in the Schedule to this Act annexed, marked (A.), or if the Person shall be desirous of enlisting without any Limitation of Period of Service, the Oath in the Schedule to this Act annexed, marked (B.); and if such Person or Persons shall take the said Oaths, then such Justice or Chief Magistrate shall, and he is hereby required forthwith to certify under his Hand the enlisting and swearing, together with the Place of the Birth, Age and Calling, if known, of such Person or Persons, in the Form mentioned in the Schedule to this Act annexed, marked (C.), if the Oath in the Form marked (A.) shall have been taken, and in the Form marked (D.) if the Oath in the Form marked (B.) shall have been taken, except in the Case of Recruits enlisted to serve either in His Majesty's Troops, or in the Forces of the *East India Company*, according as His Majesty shall think fit, in pursuance of an Act passed in the Thirty ninth Year of the Reign of His Majesty, intituled, *An Act for better recruiting the Forces of the East India Company*, in which Case every such Recruit shall, instead of the said Oath of Fidelity, and of the Oath contained in the Schedule (A.) or (B.) to this Act annexed, take the Oath of Allegiance directed by the said Act of the Thirty ninth of His Majesty, and contained in the Schedule to this Act annexed, marked (E.); and the Justice or Chief Magistrate shall certify such Enlistment and Swearing accordingly in the Form mentioned in the Schedule to this Act annexed, marked (F.); and if any such Person or Persons, so to be certified, shall wilfully refuse to take the said Oath of Fidelity before the said Justice or Chief Magistrate, it shall and may be lawful for such Officer, from whom he has received such Money as aforesaid, to detain and confine such Person or Persons until he or they shall take the said Oath of Fidelity; and every Military Officer that shall act contrary hereto, or offend herein, shall incur the like Penalty and Forfeiture as is by this Act to be inflicted upon any Officer for making a false and untrue Muster; and the Penalty and Forfeiture shall be levied and recovered in the same Manner as any Penalties or Forfeitures are by this Act to be levied or recovered: Provided always, that every Non-commissioned Officer or Private Soldier who shall enlist any Recruit, shall, at the Time of such enlisting enquire the Christian and Surname and Place of Abode of such Recruit, and either take the same down in Writing, or give the same to the Non-commissioned Officer commanding the Recruiting Party to be so taken down: Provided also, that it shall be lawful for any Justice of the Peace to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Four Days as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Officer, Non-commissioned Officer or Private Soldier belonging to the Recruiting Party shall be with the Recruit, if it shall appear to such Magistrate, upon the Examination of such Recruit, or of any other Person, that the Recruiting Party has left the Place where such Recruit was enlisted, or that such Recruit could not procure any Non-commissioned Officer belonging to such Party to go with such Recruit before the Justice of the Peace; and the Sum paid by

by such Recruit upon his Discharge shall be kept by the Justice of the Peace, and paid, when demanded, to any Person belonging to the Recruiting Party entitled thereto demanding the same.

LXXXIV. And be it further enacted, That no Apprentice, who shall be claimed by his Master, shall be taken from the Regiment, Troop or Recruiting Party with which he shall be but under a Warrant granted by some Justice of the Peace or Magistrate of the County, Stewartry, Riding, Division, City, Liberty or Place, and residing near to the Place where such Apprentice shall happen to be when so claimed, and it shall be lawful for such Justice of the Peace or Magistrate; and such Justice of the Peace or Magistrate is hereby required, on Proof on Oath of Notice having been given to the Officer commanding the Regiment or Troop or Company, or the Recruiting Party with which such Apprentice shall then be, or some Non-commissioned Officer of such Recruiting Party, of such Warrant, and that a Copy thereof has been left with such Officer or Non-commissioned Officer, and of such Person being an Apprentice, and having enlisted and declared that he was no Apprentice, and on Production and Proof of the Indenture of Apprenticeship, to commit such Person so offending as aforesaid if required so to do by such Officer or Non-commissioned Officer as aforesaid, to the Common Gaol of the County, Stewartry, Riding, Division, City, Liberty or Place, where such Person shall be at the Time when he shall be so claimed by his said Master, there to remain, until he shall be discharged by due Course of Law, or if not so required to deliver such Apprentice to his Master.

Apprentices claimed by Masters shall be carried before Justice and committed.

LXXXV. And be it further enacted, That it shall be lawful for the Justice of the Peace or Magistrate, so residing near to the Place where the Apprentice shall be claimed as aforesaid, except in *Scotland*, as hereinafter mentioned, before whom such Person so offending shall be so taken as aforesaid, to examine into the Matters alleged against such Person upon Oath, and which Oath the said Magistrate is hereby empowered to administer; and also to keep in his Custody the Indenture of Apprenticeship, to be produced as Occasion shall require, and to bind over the Master claiming such Person, and any other Persons he may think proper, to give Evidence at the General or Quarter-Sessions of the Peace, or Session of *Oyer and Terminer*, at which the Trial of such Person is hereinafter directed to be had against such Person so offending; and the Production of such Indenture of Apprenticeship, with the Certificate of the Justices of the Peace or Magistrate that the same was proved before him, shall be sufficient Evidence of such Indenture of Apprenticeship.

Justices to examine upon Oath and to keep the Indenture to be produced on the Trial.

XCII. And whereas several Soldiers, being duly listed, do afterwards desert, and are often found wandering, or otherwise absconding themselves illegally from His Majesty's Service, it is hereby further enacted, That it shall and may be lawful for the Constable, Headborough or Tithingman, of the Town or Place where any Person, who may be reasonably suspected to be such a Deserter, shall be found, or for any Officer or Soldier in His Majesty's Service, to apprehend, or cause such suspected Person to be apprehended, and to bring or cause him to be brought before any Justice of the Peace, living in or near such Town or Place, who hath hereby Power to examine such suspected Person; and if by his Confession, or the Testimony of One or more Witness or Witnesses upon Oath,

Justices may commit Deserters.

Oath, or by the Knowledge of such Justice of the Peace, it shall appear or be found that such suspected Person is a listed Soldier, and ought to be with the Troop or Company to which he belongs, such Justice of the Peace shall forthwith cause him to be conveyed to the Gaol of the County or Place where he shall be found, or the House of Correction, or other Public Prison in such Town or Place where such Deserter shall be apprehended; or to the Savoy, in case such Deserter shall be apprehended within the City of *London* or *Westminster*, or Places adjacent; or to the Provost Marshal, in case such Deserter shall be apprehended within the City or Liberties of *Dublin*, or Places adjacent; and transmit an Account thereof to the Secretary at War for the time being in *London*, or if the Deserter be apprehended in *Ireland*, to the Chief Secretary to the Chief Governor or Governors thereof, to the end that such Person may be removed by an Order from the Office of the said Secretary at War, or Chief Governor or Governors, and proceeded against according to Law: And the Keeper of every Gaol, House of Correction, or Prison, in which such Deserter shall at any time be confined, shall receive such Subsistence for the Maintenance of such Deserter during the time that he shall continue in his Custody, as by His Majesty's Regulations is or shall from time to time be directed in that Behalf, and the Keeper of every Gaol, House of Correction, or other Public Prison of the City, Town or Place at or in which the Party or Person conveying such Deserter shall halt on the March, shall, and he is hereby required to receive and confine every Deserter who shall be delivered into his Charge and Custody by any Non-commissioned Officer or Soldier who shall be conveying such Deserter under any lawful Order, Warrant or Authority, while on the Road from the Place where he was apprehended, to the Place to which he is to be conveyed, without any other Warrant or Authority for so doing than the Production of the Warrant of the Justice of the Peace, on which such Deserter shall have been taken, or some Order from the Office of the Secretary at War, or of the Chief Governor or Governors of *Ireland*, and shall be entitled to One Shilling on account of the Imprisonment of the said Deserter; any Law, Usage or Custom to the contrary notwithstanding.

Fee.

Justices of Peace,
granting an Ex-
tension of Fur-
lough, to order
Parish Officers to
advance Pay to
Soldiers.

Re-imbursment.

XCVII. Provided always, and be it further enacted, That in all Cases in which any Extension of Furlough shall be granted as aforesaid, and upon the Request of any such Non-commissioned Officer or Soldier to whom the same shall be granted, it shall be lawful to the Justice of the Peace granting the same, to make an Order in Writing under his Hand upon the Churchwardens and Overseers of the Poor of the Parish, Township or Place wherein such Non-commissioned Officer or Soldier shall reside, requiring them to pay to such Non-commissioned Officer or Soldier any Sum of Money directed in such Order, not exceeding what the Pay of such Non-commissioned Officer or Soldier would amount to for the Period to which such Furlough shall be extended as aforesaid; and the same shall be paid accordingly, upon Production and Delivery to him of such Order, by any such Parish Officer out of any Money in his Hands applicable to the Relief of the Poor; and the Sum so advanced by such Parish Officer shall, upon the Production and Delivery of such Order to the Collector of Excise of the District within which such Parish, Township or Place shall be situated, or any Person officiating for such Collector, be re-
paid

paid to such Parish Officer, to be applied to the Relief of the Poor, by such Collector of Excise or other Person out of any publick Monies in his Hands, and the same shall be allowed in his Accounts, and such Orders of Justices shall be taken as Cash in the Payment of Duties of Excise received by him; and all Sums of Money so advanced out of any Duties of Excise shall be repaid to the Account of the said Duties by the Agents of the Regiments to which the Men to whom the same shall have been paid shall respectively belong, to any Person or Persons authorized by the Commissioners of Excise in *England* and *Scotland* respectively, or any Three or more of them respectively, to draw for and receive the same; Provided always, that if the Justice of Peace shall not think fit to make such Order for paying any such Money as aforesaid, he shall state his Reasons for such Refusal in Writing at the Back of the Furlough.

Agents of Regiments to repay Money so advanced.

CXXX. And be it further enacted, by the Authority aforesaid, That this Act shall be and continue in force, within *Great Britain*, from the Twenty fourth Day of *March* in the Year of our Lord One thousand eight hundred and ten, until the Twenty fifth Day of *March* in the Year of our Lord One thousand eight hundred and eleven; and shall be and continue in force within *Ireland*, from the Thirty first Day of *March* in the Year of our Lord One thousand eight hundred and ten, until the First Day of *April* in the Year of our Lord One thousand eight hundred and eleven; and shall be and continue in force in *Jersey*, *Guernsey*, *Alderney*, *Sark* and *Man*, and the Islands thereto belonging, as to such Parts thereof as relate to those Places respectively, from the Thirtieth Day of *April* in the Year of our Lord One thousand eight hundred and ten until the First Day of *May* in the Year of our Lord One thousand eight hundred and eleven; and shall be and continue in force within the Garrison of *Gibraltar* and in His Majesty's other Dominions, or elsewhere, beyond the Seas, from the Twenty fourth Day of *March* in the Year of our Lord One thousand eight hundred and eleven until the Twenty fifth Day of *March* in the Year of our Lord One thousand eight hundred and twelve.

Continuance.

CXXXI. Provided always, and be it enacted, That this Act, so far as relates to the Allowances to be made for the quartering of Soldiers and providing for their Horses, or for the Provision of Carriages, Horses, Boats, Barges or other Vessels and Men, may be altered and varied by any Act or Acts to be made in this Session of Parliament.

Act, in part, may be altered this Session.

[This Act, except the Clauses above inserted, is similar to 49 G. 3. c. 12.]

C A P. VIII.

An Act for settling and securing a certain Annuity on Viscount *Wellington* and the Two next Persons to whom the Title of Viscount *Wellington* shall descend, in consideration of his eminent Services.

[21st March 1810.]

Most Gracious Sovereign,

WHEREAS Your Majesty, by Your most Gracious Message to Your most faithful Commons, has been pleased to declare, That Your Majesty having taken into Your Royal Consideration the eminent Services rendered by Lieutenant General *Arthur Lord Viscount Wellington*, Knight of the most Honourable Order

‘ Order of the Bath, in the brilliant and decisive Victory obtained
 ‘ by the Troops under his Command, against a superior *French* Force;
 ‘ at *Talavera*, on the Twenty eighth Day of *July* One thousand
 ‘ eight hundred and nine, Your Majesty was desirous to confer some
 ‘ signal Mark of Your Royal Favour upon Lieutenant General Lord
 ‘ Viscount *Wellington*, and the Two next succeeding Heirs on whom
 ‘ the Titles of Viscount *Wellington* of *Talavera*, and of *Wellington*
 ‘ in the County of *Somerset*, and of Baron *Douro* of *Wellesley* in
 ‘ the said County, shall descend, in order to enable them to support
 ‘ the Dignity of the Title conferred upon him, and for this Purpose
 ‘ to give and grant to him and to the Two next succeeding Heirs
 ‘ Male, to whom the Titles of Viscount *Wellington* of *Talavera*
 ‘ and of *Wellington* in the County of *Somerset*, and of Baron *Douro* of
 ‘ *Wellesley* in the said County shall descend, for and during their Lives,
 ‘ a nett Annuity of Two thousand Pounds *per Annum*; but Your
 ‘ Majesty not having it in Your Power to grant an Annuity to that
 ‘ Amount, or to extend the Effect of the said Grant beyond the
 ‘ Term of Your Majesty’s own Life, recommended it to Your
 ‘ faithful Commons to consider of a proper Method of enabling Your
 ‘ Majesty to grant the same, and of extending, securing and settling,
 ‘ such Annuity to the said Viscount *Wellington*, and to the Two next
 ‘ Persons on whom the Title of Viscount *Wellington* of *Talavera*,
 ‘ and of *Wellington* in the County of *Somerset*, and of Baron *Douro*
 ‘ of *Wellesley* in the said County, shall descend, in such Manner
 ‘ as should be thought most effectual for the Benefit of the said Vis-
 ‘ count *Wellington* and his Family:’ We, Your Majesty’s most dutiful
 and loyal Subjects, the Commons of *Great Britain* and *Ireland* in
 Parliament assembled, duly considering Your Majesty’s most Gracious
 Intention, do most humbly beseech Your Majesty that it may be
 enacted; and be it enacted by the King’s most Excellent Majesty;
 by and with the Advice and Consent of the Lords Spiritual and
 Temporal, and Commons, in this present Parliament assembled, and
 by the Authority of the same, That One Annuity, or Yearly Rent
 or Sum of Two thousand Pounds of lawful Money of *Great Britain*,
 shall be issuing and payable out of and charged and chargeable upon,
 the Consolidated Fund of *Great Britain*, (after paying or reserving
 sufficient to pay, all such Sum and Sums of Money as have been di-
 rected by any former Act or Acts of Parliament to be paid out of
 the same, but with Preference to all other Payments which shall or
 may hereafter be charged upon, or payable out of the said Fund);
 and the same shall from time to time be paid quarterly, free and clear
 of all Taxes and Deductions whatsoever, in Manner and Form follow-
 ing; that is to say, To the said Viscount *Wellington*, for and during
 the natural Life of the said Viscount *Wellington*, and from and
 after his Decease, unto the Two next succeeding Heirs Male of
 the Body of the said Viscount *Wellington*, on whom the Title,
 Honour and Dignity of Viscount *Wellington* shall descend, for and
 during their natural Lives; which said Annuity, or Yearly Rent or
 Sum, shall commence and take Effect from the Twenty eighth Day
 of *July* One thousand eight hundred and nine; the First Payment to
 be computed from the said Twenty eighth Day of *July* One thousand
 eight hundred and nine, until the Fifth Day of *January* One thou-
 sand eight hundred and ten, and from thenceforth shall be paid and
 payable at the Four usual Days of Payment in the Year; that is to
 say,

An Annuity of
 2,000l. per An-
 nuity settled on Vis-
 count *Wellington*, &c.

Commencement.

Payable quarter-
 ly.

lay, the Fifth Day of *April*, the Fifth Day of *July*, the Tenth Day of *October* and the Fifth Day of *January*, in each and every Year, by even and equal Portions.

II. And it is hereby further enacted, That it shall and may be lawful to and for the Commissioners of His Majesty's Treasury now being, and the High Treasurer and Under Treasurer of the Exchequer, and Commissioners of the Treasury for the time being, and they are hereby authorized and required, by Warrant under their Hands, to direct the Auditor of the Receipt of the Exchequer, now and for the time being, to make forth and pass Debentures, from time to time, for paying the said Annuity or yearly Rent or Sum of Two thousand Pounds, in manner as aforesaid, and as the same shall, from time to time, become due and payable, without any Fees or Charges to be demanded or taken for paying the same, or any Part thereof; which said Warrant, and the Debentures to be made forth, and passed thereupon, shall be a sufficient Authority to the several and respective Officers of the Receipt of the Exchequer, now and for the time being, for the Payment of the said Annuity, or yearly Rent or Sum, to the said Viscount *Wellington*, and the Two next succeeding Heirs Male of the Body of the said Viscount *Wellington*, at the respective quarterly Feast Days in this Act before appointed for Payment thereof, without any further or other Warrant to be sued for, had or obtained, in that Behalf.

Annuity to be paid at the Exchequer, without Fees.

III. And it is hereby further enacted, That after signing of such Warrant, the same shall be good, valid and effectual in Law, according to the Purport and true Meaning thereof, and of this Act, and shall not be determinable or revocable by or upon the Demise of His Majesty, (whom God long preserve!) or of any of His Heirs or Successors, or by or upon the Death or Removal of any of the said Commissioners of the Treasury, or the Lord High Treasurer, or by or upon the Determination of the Power, Office or Offices of them or any of them.

Warrant for Payment, not determinable upon Demise of His Majesty, &c.

IV. And be it further enacted, That the Commissioners of the Treasury now being, and the High Treasurer of the Treasury for the time being, Chancellor and Under Treasurer, Chamberlains and Barons of the Exchequer, and all other the Officers and Ministers of the Court of Exchequer, and of the Receipt thereof, now and for the time being, shall, and they are hereby authorized and strictly enjoined and required to do, without Fee or Reward, all such Acts, Matters and Things, as are hereinbefore directed and required, or shall be necessary to be done and performed by them, or any or either of them, in order to render this Act, and the several Payments hereby directed, effectual.

Treasury to do necessary Acts.

V. And be it enacted, That the Acquittance or Acquittances, Receipt or Receipts, of the said Viscount *Wellington*, and the Two next succeeding Heirs Male of the Body of the said Viscount *Wellington*, on whom the said Title shall descend, shall be a good and sufficient Discharge for the Payment of the said Annuity or yearly Sum, without any further or other Warrant to be sued for or obtained in that Behalf: and that the said Annuity or yearly Rent or Sum, and every Part thereof, shall be free and clear from all Taxes, Impositions and other Charges whatsoever: And in case any of the Officers of the Receipt of His Majesty's Exchequer shall refuse or neglect to pay the said Annuity, or yearly Rent or Sum, or any Part thereof,

The Receipt of Viscount *Wellington*, &c. a sufficient Discharge.

Annuity Tax free.

How the Annuity recovered.

thereof, according to the true Intent and Meaning of this Act, or to do any Act necessary to enable the said Viscount *Wellington*, and the Two next succeeding Heirs Male of the Body of the said Viscount *Wellington*, on whom the said Title, Honour and Dignity of Viscount *Wellington* shall descend, to receive the same, then the said Viscount *Wellington*, and the Two next succeeding Heirs Male of the Body of the said Viscount *Wellington* on whom the said Title shall descend, may, from time to time, sue, prosecute and implead such Officers, or any of them, their Heirs, Executors or Administrators, by Bill, Plaint or Action of Debt, and shall and may recover Judgment, and sue out Executions thereupon, against such Officers respectively, their Heirs, Executors or Administrators for so much of such Sum or Sums of Money then due and owing upon the said Annuity, yearly Rent or Sum, or any Part thereof, as shall have been in the Hands of the Officer or Officers of the Receipt of the Exchequer, at the time or times when Demands shall have been legally made of the Payment of the said Annuity, yearly Rent or Sum, or any Part thereof as aforesaid, or for the Refusal or Neglect to do any Act necessary to be done by such Officer or Officers respectively.

How far Annuity may be aliened or incumbered.

VI. And be it further enacted, That the said Annuity, yearly Rent or Sum of Two Thousand Pounds, shall be, and the same is by this Act vested in the said Viscount *Wellington*, and the Two next succeeding Heirs Male of the Body of the said Viscount *Wellington*, to whom the said Title, Honour and Dignity of Viscount *Wellington* shall descend; and the same, or any Part thereof, shall not at any time or times hereafter be aliened, conveyed, disposed, charged or incumbered, by the said Viscount *Wellington*, or by either of the Two next succeeding Heirs Male of the Body of the said Viscount *Wellington*, on whom the said Title shall descend, for any greater or larger Estate, or Time, than during the natural Life of the Person so aliening, conveying, disposing, charging or encumbering the same, so as to prevent the same from descending to the next or succeeding Heir Male of the Body of the said Viscount *Wellington*, to whom the said Title of Viscount *Wellington* shall descend, according to the Limitation aforesaid.

C A P. IX.

An Act to continue, until the Twenty fifth Day of *March* One thousand eight hundred and eleven, so much of an Act of the Forty seventh Year of His present Majesty, as allows a Bounty on *British* Plantation Raw Sugar exported.

[24th *March* 1810.]

47 G. 3. Sect. 1.
c. 22.

WHEREAS an Act was passed in the Forty seventh Year of His present Majesty's Reign, intituled, *An Act to allow for Two Years, from and after the passing of this Act, an additional Bounty on Double Refined Sugar, and to extend former Bounties on other Refined Sugar to such as shall be pounded, crashed or broken; and to allow for One Year certain Bounties on British Plantation Raw Sugar exported*; And whereas by another Act passed in the Forty eighth Year of His present Majesty's Reign, intituled, *An Act to amend and continue, until the Twenty fifth Day of March One thousand eight hundred and nine, so much of an Act of the Forty*

48 G. 3. c. 12.

seventh

‘ *seventh Year of His present Majesty, as allows certain Bounties on*
 ‘ *British Plantation Raw Sugar exported; so much of the said first*
 ‘ *recited Act as related to the said Bounties upon Raw Sugars was*
 ‘ *further continued with certain Alterations till the Twenty fifth*
 ‘ *Day of March One thousand eight hundred and nine: And whereas*
 ‘ *the said Bounties were further continued until the Twenty fifth Day*
 ‘ *of March One thousand eight hundred and ten by an Act made in*
 ‘ *the last Session of Parliament, intituled, An Act to continue so much*
 ‘ *of an Act of the Forty seventh Year of His present Majesty, as al-*
 ‘ *lows a Bounty upon Double Refined Sugar exported, until the Twenty*
 ‘ *fifth Day of March One thousand eight hundred and eleven; and so*
 ‘ *much of the same Act as allows a Bounty on Raw Sugar exported,*
 ‘ *until the Twenty fifth Day of March One thousand eight hundred and*
 ‘ *ten; and it is expedient that the said Bounties should be further*
 ‘ *continued;’ Be it therefore enacted by the King’s most Excellent*
 Majesty, by and with the Advice and Consent of the Lords Spi-
 ritual and Temporal, and Commons, in this present Parliament assem-
 bled, and by the Authority of the same. That so much of the said
 first recited Act as relates to the Bounties on Raw Sugars, as altered
 and continued by the said recited Act passed in the Forty eighth Year
 of the Reign of His present Majesty, shall be, and the same is hereby
 further continued until the Twenty fifth Day of *March* One thousand
 eight hundred and eleven.

49 G. 3. c. 10.

47 G. 3. Sess. 1.
 c. 22. § 8. as al-
 tered by 43 G. 3.
 c. 12. continu-
 ed till 25th
 March, 1811.

C A P. X.

An Act for making perpetual certain of the Provisions of an
 Act of the Fifth Year of King George the First, for pre-
 venting the clandestine running of uncustomed Goods, and
 for preventing Frauds relating to the Customs.

[24th March 1810.]

‘ **W**HEREAS certain of the Provisions of the Act herein-
 ‘ after mentioned have by Experience been found useful
 ‘ and beneficial, and it is expedient that the same should be made per-
 ‘ petual;’ Be it therefore enacted by the King’s most Excellent Ma-
 jesty, by and with the Advice and Consent of the Lords Spiritual
 and Temporal, and Commons, in this present Parliament assembled,
 and by the Authority of the same, That the several Clauses in an
 Act made in the Fifth Year of the Reign of His Majesty King George
 the First, intituled, *An Act against clandestine running of uncustomed*
Goods, and for the more effectual preventing of Frauds relating to the
Customs, relating to such Foreign Goods, Wares and Merchandize
 as shall be taken in at Sea out of any Ship or Vessel, in order to be
 landed or put into any other Ship or Vessel or Boat; and also relat-
 ing to Goods not reported and found after clearing Ships; and where-
 by further Remedies are provided against relauding Goods prohibited
 to be worn in this Kingdom; and Foreign Goods shipped out for Parts
 beyond the Seas; and relating to the opening or altering the Package
 of Goods on board of Ships outward bound; and also relating to
 hovering Ships or Vessels of the Burthen of Fifty Tons or under;
 and also concerning the Bales or Package in which Coffee shall be
 exported; and also relating to Rum imported in Casks or Vessels
 not containing Twenty Gallons at the least; and also relating to
 Certificates.

5 G. 1. c. 11.

§ 3.
 § 4.
 § 6.
 § 7.
 § 8.
 § 10.
 § 2.
 § 5.

made perpetual.

Certificate Goods entered in order to be exported to *Ireland*, which were to have Continuance for the Term of Three Years from the several Times of the Commencement thereof, and from thence to the End of the then next Session of Parliament, and which by several subsequent Acts were further continued until the Twenty ninth Day of *September* One thousand eight hundred and nine, and from thence to the End of the then next Session of Parliament, shall be and the same are hereby made perpetual.

C A P. XI.

An Act to continue, until the Twenty fifth Day of *March* One thousand eight hundred and fifteen, several Laws relating to the Encouragement of the *Greenland* Whale Fisheries. [24th *March* 1810.]

26 G. 3. c. 41.

29 G. 3. c. 53.
§ 2.32 G. 3. c. 22. § 1.
continued till
25th *March*,
1815.

‘ WHEREAS the Law hereinafter mentioned has by Experience been found useful and beneficial, and it is expedient that the same should be further continued ;’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act made in the Twenty sixth Year of the Reign of His present Majesty, intituled, *An Act for the further Support and Encouragement of the Fisheries carried on in the Greenland Seas and Davis’s Streights*, which was to be in force for Five Years, from the Twenty fifth Day of *December* One thousand seven hundred and eighty six : and also so much of an Act, made in the Twenty ninth Year of the Reign of His present Majesty, intituled, *An Act for further encouraging and regulating the Newfoundland, Greenland and Southern Whale Fisheries*, as relates to the Fisheries carried on in the *Greenland Seas* and *Davis’s Streights* ; which, by an Act made in the Twenty second Year of the Reign of His present Majesty, were amended and continued until the Twenty fifth Day of *December* One thousand seven hundred and ninety eight ; and which were by several subsequent Acts further continued ; and by Two Acts passed in the Forty second and Forty fourth Years of the Reign of His present Majesty were amended and further continued ; and by Two Acts of the Forty sixth and Forty eighth Years of the Reign of His present Majesty were further continued until the Twenty fifth Day of *March* One thousand eight hundred and ten ; shall be and the same is hereby further continued until the Twenty fifth Day of *March* One thousand eight hundred and fifteen.

C A P. XII.

An Act to continue, until the Twenty fifth Day of *March* One thousand eight hundred and twelve, an Act made in the Forty sixth Year of His present Majesty, for permitting the Importation of Masts, Yards, Bowsprits and Timber for Naval Purposes, from the *British* Colonies in *North America*, Duty-free. [24th *March* 1810.]

‘ WHEREAS the Law hereinafter mentioned has by Experience been found useful and beneficial, and it is expedient that the same should be further continued ;’ Be it therefore enacted

ed by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act made in the Forty sixth Year of His present Majesty's Reign, intituled, *An Act to permit until the First Day of January One thousand eight hundred and nine, the Importation of Masts, Yards and Bowsprits, or of Timber fit for Naval Purposes, from the British Colonies in North America, Duty-free*; which said Act was, by an Act of the Forty eighth Year of the Reign of His present Majesty, continued until the Twenty fifth Day of *March* One thousand eight hundred and ten; shall be and the same is hereby further continued until the Twenty fifth Day of *March* One thousand eight hundred and twelve.

46 G. 3. c. 117.
continued till
25th March,
1812.

48 G. 3. c. 12.

C A P. XIII.

An Act to continue an Act, made in the Forty fourth Year of His present Majesty, for permitting the Exportation of Salt from the Port of *Nassau* in the Island of *New Providence*, the Port of *Exuma* and the Port of *Crooked Island* in the *Bahama Islands*, in *American* Ships coming in Ballast; and amend and continue an Act made in the Forty eighth Year of His present Majesty, for permitting Sugar and Coffee to be exported from His Majesty's Colonies or Plantations, to any Port in *Europe* to the Southward of *Cape Finisterre*, and Corn to be imported from such Port, and from the Coast of *Africa*, into the said Colonies and Plantations, until the Twenty fifth Day of *March* One thousand eight hundred and thirteen.
[24th March 1810.]

WHEREAS the Laws hereinafter mentioned have by Experience been found useful and beneficial, and it is expedient that the same should be further continued and One of them amended. Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act made in the Forty fourth Year of the Reign of His present Majesty, intituled, *An Act for permitting, until the First Day of August One thousand eight hundred and seven, the Exportation of Salt from the Port of Nassau in the Island of New Providence, the Port of Exuma and the Port of Crooked Island in the Bahama Islands, in Ships belonging to the Inhabitants of the United States of America, and coming in Ballast*; which said Act was, by an Act of the Forty seventh Year of the Reign of His present Majesty, continued until the Twenty fifth Day of *March* One thousand eight hundred and ten, shall be, and the same is hereby further continued, until the Twenty fifth Day of *March* One thousand eight hundred and thirteen.

44 G. 3. c. 101.

47 G. 3. Sess. 1.
c. 20.

II. And be it further enacted, That an Act made in the Forty eighth Year of the Reign of His present Majesty, intituled, *An Act to permit, until the Twenty fifth Day of March, One thousand eight hundred and ten, Sugar and Coffee to be exported from His Majesty's Colonies or Plantations to any Port in Europe to the Southward of*

48 G. 3. c. 69.
continued till
25th March,
1812.

Cape Finisterre, and Corn to be imported from such Port, and from the Coast of Africa, into the said Colonies and Plantations, shall be, and the same is hereby continued until the Twenty fifth Day of March One thousand eight hundred and thirteen.

Proviso for Exportation of Cocoa, Produce of British Colonies in America.

III. Provided always, and be it enacted, That it shall and may be lawful to export Cocoa, the Growth or Produce of any of His Majesty's Colonies or Plantations in *America*, from such Colonies or Plantations direct, to any Port in *Europe* to the Southward of *Cape Finisterre*, in the like Ships and Vessels, and under the same Rules, Regulations, Conditions and Restrictions, Penalties and Forfeitures, as are prescribed by the said Act of the Forty eighth Year of His present Majesty's Reign, with respect to Sugar and Coffee.

C A P. XIV.

An Act for the Regulation of His Majesty's Royal Marine Forces while on Shore. [24th March 1810.]

Admiralty may make Articles for Punishment of Mutiny, &c.

and constitute Courts Martial.

Articles of War transmitted to Judges.

Proviso for Persons hastily enlisting.

IV. AND be it further enacted, That it shall and may be lawful to and for the said Lord High Admiral, or Three or more of the Commissioners for executing the Office of Lord High Admiral, at any Time during the Continuance of this Act, to make and establish Rules and Articles in Writing, under his or their respective Hand or Hands, for the Punishment of Mutiny and Desertion, Immorality, Misbehaviour and Neglect of Duty. in any of His Majesty's Royal Marine Forces while on Shore, in any Part of this Kingdom, or in any other of His Majesty's Dominions, and for bringing Offenders against the same to Justice; and to erect and constitute Courts Martial, with Power to try, hear and determine any Crimes or Offences specified in such Rules and Articles, and inflict Punishments, by Sentence or Judgment, for the same according to the true Intent and Meaning of this Act; and all such Articles of War shall from time to time, as soon after the same shall have been established, as the same can be done, be transmitted by the Secretary of the Admiralty for the time being to the Judges of His Majesty's Courts at *Westminster* and *Dublin*, and into *Scotland* respectively.

LX. Provided nevertheless, and it is hereby declared, That from and after the Twenty fifth Day of *March* One thousand eight hundred and ten, when and as often as any Person or Persons shall be enlisted as a Marine or Marines in His Majesty's Service, he and they shall, within Four Days, but not sooner than Twenty four Hours, after such Enlisting respectively, be carried or go with some Officer, Non-commissioned Officer or Marine belonging to the Recruiting Party by which he shall be enlisted, or with the Person employed on the Recruiting Service with whom he shall have enlisted, before some Justice of the Peace of any County, Riding, City or Place, or Chief Magistrate of any City or Town Corporate, residing or being next to, or in the Vicinity of the Place where such Person or Persons shall have been enlisted, and not being an Officer of Royal Marines, and before such Justice or Chief Magistrate he or they shall be at Liberty to declare his or their Dissent to such Enlisting; and upon such Declaration, and returning the enlisting Money, and also each Person so dissenting paying the Sum of Twenty Shillings for the Charges expended or laid out upon him, such Person or Persons so enlisted shall be forthwith discharged and set at Liberty, in the Presence

sence of such Justice or Chief Magistrate; but if such Person or Persons shall refuse or neglect, within the Space of Twenty four Hours, to return and pay such Money as aforesaid, he or they shall be deemed and taken to be enlisted, as if he or they had given his or their Assent thereto before the said Justice or Chief Magistrate; and if such Person or Persons shall declare his or their having voluntarily enlisted himself or themselves, then such Justice or Chief Magistrate shall, and he is hereby required forthwith to certify under his Hand, that such Person or Persons is or are duly enlisted; setting forth the Place of the Birth, Age and Calling of him or them respectively, (if known), and that the Second and Third Sections of the Articles of War, for the better Government of His Majesty's Royal Marine Forces while on Shore, were read to him or them, and that he or they had taken the Oath of Fidelity mentioned in the Twelfth Section of the said Articles of War, and also the Oath mentioned in the Schedule to this Act annexed, marked (A.); and if any such Person or Persons, so to be certified as duly enlisted, shall refuse to take the said Oath of Fidelity before the said Justice or Chief Magistrate, it shall and may be lawful for such Officer, from whom he has received such Money as aforesaid, to detain or confine such Person or Persons until he or they shall take the Oath before required; and every Officer of Royal Marines that shall act contrary hereto, or offend herein, upon Proof thereof, upon Oath made by Two Witnesses, before a General Court Martial to be thereupon called, shall, for such Offence, be forthwith cashiered and displaced from such his Office, and shall be thereby utterly disabled to have or hold any Civil or Military Office or Employment within this Kingdom, or in His Majesty's Service: **Provide** always, that every Non-commissioned Officer or Private Marine who shall enlist any Recruit, shall, at the Time of such enlisting, inquire the Christian and Surname, and Place of Abode of such Recruit, and either take the same down in Writing, or give the same to the Non-commissioned Officer commanding the Recruiting Party to be so taken down: **Provide** also, that it shall be lawful for any Justice of the Peace to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Four Days as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Officer, Non-commissioned Officer or Private Marine belonging to the Recruiting Party shall be with the Recruit, if it shall appear to such Magistrate, upon the Examination of such Recruit, or of any other Person, that the Recruiting Party have left the Place where such Recruit was enlisted, or that such Recruit could not procure any Non-commissioned Officer belonging to such Party to go with such Recruit before the Justice of the Peace; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice of the Peace, and paid, when demanded, to any Person belonging to the Recruiting Party, entitled thereto, demanding the same.

LXI. And be it further enacted, That if any Person or Persons shall receive the enlisting Money from any Officer (knowing it to be such), and shall abscond or refuse to go before such Justice or Chief Magistrate; or if any Person having received any such enlisting Money as aforesaid, shall thereafter absent himself from the Recruiting Party with which he enlisted, or Person with whom he enlisted, and shall

Persons receiving
Enlisting Money.

not voluntarily return to such Recruiting Party or Person enlisting him, to go before some Justice of the Peace or Magistrate under the Provisions of this Act within such Period of Four Days as aforesaid, such Person shall be deemed to be enlisted and a Marine in His Majesty's Service, as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for Punishment of Mutiny and Desertion; nor shall any such Person who shall not have remained with, or who shall not have returned to such Recruiting Party or Person enlisting him as aforesaid, be entitled to be discharged or be discharged by any Justice of the Peace or Magistrate after the Expiration of such Four Days as aforesaid; unless it shall be proved to the Satisfaction of such Justice of the Peace, that the true Name and Residence of the Person enlisted was disclosed and known to the Recruiting Party, and that no Notice was given to the Person enlisted, or left at his usual Place of Abode of his having so enlisted.

Persons employed in Commissariat Department embezzling Stores may be tried by Court Martial, &c.

Penalty.

Imprisonment.

Continuance.

LXVI. And be it further enacted, That every Commission Officer, Storekeeper or Commissary, or Deputy, or Assistant Commissary, or other Person employed in the Commissariat Department, or in any Manner in the Care or Distribution of any Money, Provisions, Forage or Stores, belonging to His Majesty's Royal Marine Forces, or for their Use, that shall embezzle or fraudulently misapply, or cause to be embezzled or fraudulently misapplied, or shall knowingly or wilfully permit or suffer any Money, Provisions, Forage, Arms, Cloathing, Ammunition or other Military or Royal Marine Stores to be embezzled or fraudulently misapplied, or to be spoiled or damaged, may be tried for the same by and before a General Court Martial, and it shall be lawful for such Court Martial to adjudge any such Person to be transported as a Felon for Life, or for any certain Term of Years, or to suffer such Punishment of Pillory, Fine, Imprisonment, Dismissal from His Majesty's Service, and be incapable of serving His Majesty in any Office, Civil or Military, as any such Court shall think fit, according to the Nature and Degree of the Offence, or that such Person shall forfeit Two hundred Pounds, and that such Person shall, in addition to any other Punishment, make good at his own Expence the Loss and Damage thereby sustained, to be ascertained by such Court Martial, which shall have Power to seize the Goods and Chattels of the Persons so offending, and sell them for the Payment of the said Two hundred Pounds and such Damage; and if sufficient Goods and Chattels cannot be found and seized, then the Person so offending shall be committed to Prison, or the Common Gaol, there to remain (in addition to any other Punishment or Imprisonment) for Six Months without Bail or Mainprize, and until he shall pay such Deficiency, and after the said Sum shall be recovered and levied, the same shall be applied and disposed of as His Majesty shall direct and appoint.

LXVII. And be it further enacted, That this Act and every Thing herein contained, shall be and continue in force within *Great Britain*, from the said Twenty fifth Day of *March* in the Year of our Lord One thousand eight hundred and ten, until the Twenty fifth day of *March* in the Year of our Lord One thousand eight hundred and eleven; and shall be and continue in force within *Ireland*, from the First Day of *April* One thousand eight hundred and ten, until

until the First Day of *April* One thousand eight hundred and eleven; and that this Act, so far as relates to the Allowances to be made for the quartering of Royal Marines, and providing for their Horses, may be altered and varied by any Act or Acts to be made in this Session of Parliament. Act may be altered, &c.

[This Act, except the Clauses above inserted, is similar to 49 G. 3. c. 19.]

C A P. XV.

An Act to grant to His Majesty Duties upon Spirits made or distilled in *Ireland* from Corn; to allow certain Drawbacks on the Exportation thereof; to make further Regulations for the Encouragement of Licensed Distillers; and for amending the Laws relating to the Distillery in *Ireland*,

[6th April 1810.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies, have freely and voluntarily resolved to give and grant unto Your Majesty the Duties hereinafter mentioned; and do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That within and through that Part of the United Kingdom called *Ireland*, there shall be granted, raised, levied, collected, paid and satisfied unto and to the Use of His Majesty, His Heirs and Successors, the Duties following, that is to say: For and upon every Gallon of *Aqua Vita*, Strong Waters or Spirits, which, at any Time from and after the Fifth Day of *March* One thousand eight hundred and ten, shall be made or distilled in *Ireland* from Corn malted or unmalted, by any Person or Persons whatsoever, or for which any Distiller shall be chargeable by Law, the Sum of Two Shillings and Six pence *British* Currency, and so in proportion for any greater or less Quantity, to be paid by the first Maker or Distiller thereof; which said Duty shall be in lieu and full Satisfaction of all Duties granted on such Spirits by any former Act or Acts of Parliament in force in *Ireland*; except such Duties as have been or shall or may be granted or imposed for certain local Purposes in *Ireland* by any Act or Acts of Parliament, and which Duties are or may be appropriated to such local Purposes by the Acts by which such Duties are or may be granted or imposed, or by any other Act or Acts.

Duty on Corn Spirits, in lieu of former Duties.

II. And be it further enacted, That from and after the Fifth Day of *March* One thousand eight hundred and ten, the Duty of Four Shillings *British* Currency upon every Gallon of *Aqua Vita*, Strong Waters or Spirits made or distilled in *Ireland* from Corn malted or unmalted, and also the Duty of Ten Shillings *British* Currency upon every Six Gallons of such *Aqua Vita*, Strong Waters or Spirits, which were granted by an Act made in the Forty eighth Year of His present Majesty's Reign, intituled, *An Act to grant to His Majesty Duties upon Malt made in Ireland, and upon Spirits made or distilled in Ireland, and to allow certain Drawbacks on the Exportation thereof*,

Duty on Corn Spirits under 48 G. 3. c. 78 § 1. and on the Strength under 49 G. 3. c. 73. § 5. repealed.

Regulations of
43 G. 3. c. 78
§ 8, 9, &c. as to
Allowance for
Malt Duty re-
pealed.

Drawback on
Corn Spirits ex-
ported.

Duties on Spirits
to be a Charge
on Distiller.
46 G. 3. c. 88.
and former Acts
applied to this.

and also the Duty on all such Spirits in proportion to the Strength of the same under and by virtue of an Act of the last Session of Parliament, intituled, *An Act to grant to His Majesty Duties on Spirits made or distilled in Ireland and upon British Spirits imported into Ireland, and upon Licences to sell Spirituous Liquors in Ireland not less than Two Gallons*, shall cease and determine, and be no longer paid or payable; and that all and every the Clauses, Provisions and Regulations in the said first recited Act contained, relating to the said Duty of Ten Shillings for every Six Gallons of such Spirits, and relating to any Allowance to any Distiller charged with the said Duty against the Amount of the said Duty, and in Discharge of the same for or in respect of the Malt used and consumed in the making and distilling of such Spirits, shall be and the same are hereby repealed, except only so far as relates to any Spirits which shall or may have been charged or chargeable with the said Duty at any Time before the said Fifth Day of March One thousand eight hundred and ten.

III. And be it further enacted, That in lieu and instead of all former Drawbacks on Spirits distilled from Corn or Grain in *Ireland*, and exported to any other Place than *Great Britain*, every Person who shall export to any other Place than *Great Britain*, Spirits distilled from Corn or Grain in *Ireland*, on which the Duties imposed by this Act shall have been paid, shall be entitled to and shall receive for every Gallon of such Spirits of a Strength not less than that of One to Ten over Hydrometer Proof, a Drawback of Three Shillings and Four pence *British* Currency.

IV. And be it further enacted, That the said Duty of Two Shillings and Six pence *per* Gallon on Spirits made from Corn malted or unmalted, shall be charged on every Distiller in respect of the Quantity of Spirits which shall be made or distilled by such Distiller, or for which any Distiller shall be chargeable by Law, to be computed, ascertained and charged in such Manner, and under such Regulations, Directions and Provisions, as are contained in an Act made in the Forty sixth Year of His present Majesty's Reign, intituled, *An Act to provide for the regulating and securing the Collection of the Duties on Spirits distilled in Ireland, and the warehousing of such Spirits for Exportation*, and in this or any other Act or Acts for amending the said recited Act of the Forty sixth Year, and that all and every the Clauses, Rules, Regulations, Restrictions, Provisions, Penalties, Forfeitures and Modes of recovering thereof, provided, mentioned and contained in the said recited Act of the Forty sixth Year aforesaid, or in this or any other Act for amending the same, with respect to any Charges of Duty or any other Charges on any Distiller, and with respect to the warehousing of any Spirits, shall be applied and put in Practice in making Charges of Duty and other Charges on such Distiller in respect of the said Duties on Spirits under this Act, and with respect to the warehousing of any Spirits charged with Duty under this Act, as fully and effectually to all Intents and Purposes whatsoever, as if all the said Clauses, Rules, Regulations, Restrictions, Provisions, Penalties and Forfeitures, had been expressly repeated and enacted in this Act.

46 G. 3. c. 88.
§ 77. repealed.

V. And whereas further Regulations are necessary for the Suppression of clandestine Distillation, and for the Encouragement of licensed Distillers in *Ireland*, without any Preference in respect

to

‘ to the Size of Stills which they may be licensed to use ;’ Be it therefore enacted, That from and after the Fifth Day of *March* One thousand eight hundred and ten, so much of the said Act made in the Forty sixth Year of His present Majesty’s Reign, intituled, *An Act to provide for the regulating and securing the Collection of the Duties on Spirits distilled in Ireland, and the warehousing such Spirits for Exportation*, as enacts that every Distiller in *Ireland* who shall make use of any Still the Body whereof shall contain Fifteen hundred Gallons or upwards, shall be allowed and paid a Bounty after the Rate of Sixteen Pounds for every One hundred Pounds of the Amount of the Duties on Spirits paid by such Distiller, and that every Distiller in *Ireland* who shall make use of any Still, the Body whereof shall contain One thousand Gallons, and shall not contain Fifteen hundred Gallons, shall be allowed and paid a Bounty after the Rate of Eight Pounds for every One hundred Pounds of the Amount of the Duties on Spirits paid by such Distiller, and all and every Clause, Matter and Thing in the said recited Act, as to the Time or Manner of paying and allowing any such Bounty of Sixteen Pounds or Eight Pounds respectively, shall be, and the same is and are hereby repealed, except as to such Spirits as shall have been distilled at any Time before the said Fifth Day of *March* One thousand eight hundred and ten ; and from and after the said Fifth Day of *March* One thousand eight hundred and ten, no such Bounty shall be paid or allowed, except on such Spirits as aforesaid, any Thing in the said recited Act or in any other Act in force in *Ireland* to the contrary in any wise notwithstanding.

VI. And be it further enacted, That it shall and may be lawful for the Commissioners of Inland Excise and Taxes in *Ireland*, or any Four of them, to grant a Licence to any Person or Persons in *Ireland* to keep and use from and after the Fifth Day of *March* One thousand eight hundred and ten, any One or more Still or Stills, the Body whereof, without the Head or any other Appendage thereto, shall be capable of containing any Number of Gallons not less than Forty four Gallons in any Place or Places whatever in *Ireland* where the said Commissioners or any Four of them shall think proper, whether such Place or Places shall be or shall not be within Five Miles of any Distillery House or Place wherein any Still of Five hundred Gallons or upwards shall at the Time be licensed to be kept or used ; any Thing in any Act or Acts in force in *Ireland* to the contrary thereof in any wise notwithstanding. [See 47 G. 3. Sess. 2. c. 17. § 13. 49 G. 3. c. 93. § 23—26.]

What Stills
Commissioners
of Excise may
license less than
44 Gallons.

VII. And be it further enacted, That so much and such Parts of an Act made in the Forty seventh Year of His present Majesty’s Reign, intituled, *An Act to amend an Act made in the Forty sixth Year of His present Majesty, for the regulating and securing the Collection of the Duties on Spirits distilled in Ireland* ; and of an Act made in the Forty ninth Year of His present Majesty’s Reign, intituled, *An Act to amend the several Acts for the regulating and securing the Collection of the Duties on Spirits distilled in Ireland ; and for the regulating the Sale of such Liquors by Retail*, as enacts that no Person or Persons shall be licensed to keep or use a Still of Five hundred Gallons Content or upwards, and a Still of less Size than Five hundred Gallons Content at one and the same Time, nor to keep or use Two Stills either of which shall be of a less Size than Five hundred Gallons Con-

47 G. 3. Sess. 2.
c. 17. § 8. 49 G. 3.
c. 99. § 20.
repealed.

tent at the same Time, shall, from and after the Fifth Day of *March*, One thousand eight hundred and ten, be and the same is and are hereby repealed.

How Distiller having two or more Stills shall be charged.

Still discontinued, sent to Excise Office.

On Notice of discontinuing large Stills, Still, &c. need not be removed.

VIII. Provided always, and be it enacted, That whenever any Distiller in *Ireland* shall have Two or more Stills licensed at the same Time in his Distillery, every such Distillery shall be charged and chargeable with, and shall pay Duty for such Quantity of Spirits as might be produced from the Number of Charges of Low Wines or Singlings with which every such Still or Stills shall by Law be chargeable according to the Contents of the same, for and in respect of every such Still so long as the same shall remain in the Distillery of such Distiller, as if every such Still were constantly at work; and that whenever any Distiller having Two or more Stills in his Distillery shall give Notice according to Law of his Intention to discontinue the working of either or any of such Stills, such Distiller shall, within Twenty four Hours after the Time when, according to such Notice, he ought to discontinue the working of such Still or Stills, cause the Works in which such Still or Stills was or were set, to be taken down, and shall displace and remove any and every such Still, and shall also displace and remove, clear out of the Worm-tub the Worm belonging to any and every such Still, and shall, within Forty eight Hours then next following, send or convey any and every such Still and Stills, and the Heads and Worms respectively belonging thereto, to the Excise Office of the District in which such Distillery shall be situate, unless the Officer in charge of such Distillery shall, pursuant to Order given to him by the Collector of the District, which Order he is hereby required to obey, strap down and fasten the Head of every such Still the working of which is so intended to be discontinued, by locking the same, and locking the Door of the Furnace Grate, and stopping and locking the discharging Cock or Pipe of such Still; and whenever such Still or Stills shall be sent to the Excise Office in manner aforesaid, the same shall be there kept until any or every such Still or Stills respectively shall be re-delivered to such Distiller for the Purpose of being re-set and again worked according to Law in pursuance of any Notice or Notices to be duly given by such Distiller of his Intention to re-commence the working of such Still or Stills respectively according to Law, or until such Still or Stills respectively shall be disposed of to some licensed Distiller, which it shall be lawful for the Proprietor of such Still or Stills to do: Provided always, that in case any Distiller shall give Notice of discontinuing to work a Still of Five hundred Gallons Content or upwards, it shall not be necessary for him to cause the Works in which such Still was set, to be taken down, nor to displace or remove any such Still, nor to displace or remove the Worm thereof out of the Worm-tub, nor to send or convey the same to the Excise Office during the Continuance of his Licence, nor shall he be subject to any Penalty or Forfeiture for omitting so to do, any Law to the contrary notwithstanding, if the Officer of Excise attending his Distillery shall certify that by strapping down and fastening the Head of every such Still he has effectually secured it from being used or worked, nor shall he be charged with or chargeable for any Quantity of Spirits in respect of any Still during the Time it shall be so strapped down, displaced or removed, any Thing herein contained to the contrary notwithstanding.

XI. And

IX. And be it further enacted, That every Licence to any Person or Persons to keep and use any Still or Stills, which shall be obtained after the passing of this Act, shall be signed by Four of the said Commissioners of Inland Excise and Taxes; and that every such Licence shall and may be granted to continue in force until the Twenty ninth Day of *September* Two Years next after the Date of such Licence, in case the Person requiring such Licence shall desire the same; and in such Case the Period of the Continuance of such Licence shall be specified and expressed in such Licence accordingly, in the following Terms: "This Licence to remain in full Force until the Twenty ninth Day of *September* in the Year One thousand eight hundred and _____," instead of the Words "next ensuing the Date hereof," as now required by Law; and every such Licence shall in all other Respects be granted in like Manner, and under such Rules, Regulations, Restrictions, Penalties and Forfeitures, as are provided by the said recited Act of the Forty sixth Year aforesaid, or by any Act or Acts for amending the said recited Act, with respect to Stills allowed to be licensed, except only so far as the said Acts, or any of them, are altered or repealed by this present Act.

Licences for Stills granted under Regulations of 46 G. 3. c. 88.

X. Provided always, and be it further enacted, That it shall and may be lawful for the said Commissioners of Inland Excise and Taxes, with the Approbation of the Commissioners for executing the Office of the Lord High Treasurer, to refuse to grant any such Licence; and that it shall be lawful for such Commissioners to withdraw any such Licence in like Manner and for the like Causes as the said Commissioners are empowered to refuse or withdraw any Licence from any Still under the said recited Act of the Forty sixth Year aforesaid; and also that it shall and may be lawful for the said Commissioners to withdraw any such Licence in case the Still or Stills for which such Licence shall be granted shall not be worked or used for the Space of Six Months or more in the Course of any One Year, beginning on the Twenty ninth Day of *September*, and ending on the Twenty ninth Day of *September* following.

In what Case Commissioners may refuse or revoke Licences.

46 G. 3. c. 88.

§ 10.

XI. And be it further enacted, That in lieu of the several Number of Charges of Singlings or Low Wines, set forth in the said recited Act of the Forty ninth Year of His present Majesty's Reign, and in the Schedule thereto annexed, in respect to Stills under One hundred and fifty Gallons Content, for the Quantity of Spirits produceable wherefrom respectively, any Distiller is chargeable with Duty in respect of any such Still, every such Distiller shall, from and after the said Fifth Day of *March* One thousand eight hundred and ten, for every Four Weeks or Twenty eight Days which any Still whatever of such Distiller, under One hundred and fifty Gallons Content, and not less than Forty four Gallons Content, shall continue, or shall be presumed to continue, working under the Regulations of the said recited Act of the Forty sixth Year of His present Majesty's Reign, or of this Act, or any other Act for amending the same, be charged with and shall pay Duty for such Quantity of Spirits as might be produced (according to the Rates specified in the said recited Act of the Forty sixth Year, and this Act, or any other Act for amending the said Act of the Forty sixth Year) from Two hundred Charges of Low Wines or Singlings for every such Still, whatever the Content of any such Still may be, between One hundred and fifty Gallons and Forty four Gallons; and that every

How Duties calculated.

Charge on all Spirits actually distilled.

Distiller

Distiller shall, over and above the Quantity of Spirits produceable as aforesaid, also be charged with and pay Duty in respect of each and every such Still, whatever may be the Content thereof, for as much more Spirits as might be produced (according to the Rates specified as aforesaid) from all Pot Ale, Wash, Low Wines or Singlings, which such Distiller shall actually distil in every such Still within every Period of Four Weeks or Twenty eight Days, over and above such Quantity so produceable as aforesaid.

In what Case Distillers liable to 3-4ths only of Monthly Charges, &c.

XII. Provided always, and be it enacted, That whenever any Distiller licensed to keep a Still or Stills under One thousand Gallons Content, shall insert in the Notice which he is bound by Law to give to the Collector, Surveyor and Gauger, before he commences or recommenced to work a Still, or shall give Notice in like manner Six Days before the Expiration of any Period of Four Weeks or Twenty eight Days, that he proposes to work any Still or Stills in his Possession during the next succeeding Period of Four Weeks or Twenty eight Days with Turf only, not charred, and not with Coal or other Fuel than Turf not charred, such Distiller shall, for every complete Period of Four Weeks or Twenty eight Days, during which any such Still or Stills shall be worked with no other Fuel than Turf not charred, be charged with and pay Duty for such Quantity of Spirits as might be produced (according to the Rates aforesaid) from Three fourths only of the Number of Charges of Singlings or Low Wines to which such Still would otherwise be liable; and also the Duty for as much more Spirits as might be produced according to the said Rates from all Pot Ale, Wash, Singlings or Low Wines, which such Distiller shall actually distil within such Period of Four Weeks or Twenty eight Days, over and above the Quantity produceable from such reduced Number of Charges of Singlings or Low Wines as aforesaid.

Still worked with Coal liable to full Charges.

XIII. Provided also, and be it further enacted, That if any Still in the Possession of any Distiller, shall at any Time during any Period of Four Weeks or Twenty eight Days, in which the Distiller shall have given Notice of working a Still or Stills with Turf only, be worked with any Coal, Coke, charred Turf, or other Fuel than Turf not charred, all and every Still or Stills in the Possession of such Distiller, not strapped down, taken down, or displaced in manner herein provided, shall be subject and liable to the full Number of Charges of Singlings or Low Wines for the Whole of the said Period of Four Weeks or Twenty eight Days, any Thing herein contained to the contrary notwithstanding; and the Distiller in whose Distillery such Coal, Coke, charred Turf or other Fuel, shall be so used, shall forfeit the Sum of Twenty Pounds.

Penalty.

Mode of charging on calculated Produce of Spirits from Corn, Wash, or from Singlings.

XIV. And be it further enacted, That from and after the passing of this Act, the Officer of Excise keeping an Account of Wash, Pot Ale, Low Wines or Singlings, produced in any Distillery from Corn malted or unmalted, shall, in all Cases, charge the Distiller, upon any Decrease of Wash or Pot Ale, for a Quantity of Spirits, calculated after the Rate of One Gallon of Spirits for every Ten Gallons of such Wash or Pot Ale so decreased, and upon any Decrease of any Low Wines or Singlings produced from any such Wash or Pot Ale, such Officer shall charge the Distiller for a Quantity of Spirits after the Rate of Two Gallons of Spirits for every Five Gallons of such Low Wines or Singlings so decreased, and so in

in proportion for any greater or less Quantity of Wash, Pot Ale, Low Wines or Singlings respectively; and such Officer shall make a Return of the Quantities of such Spirits, and of the Duties thereon accordingly, and such Distiller shall pay the Duty so charged and returned, under such Rules, Regulations and Directions as are contained in the said Act made in the Forty sixth Year of His Majesty's Reign, intituled, *An Act to provide for the regulating and securing the Collection of the Duties on Spirits distilled in Ireland, and the warehousing of such Spirits for Exportation* as amended by this Act, or by any other Act or Acts in force, immediately after the passing of this Act. 46 G. 3. c. 88.

XV. And whereas by the said recited Act of the Forty sixth Year of His present Majesty's Reign, it is, among other Things, enacted, that it shall be lawful for any Distiller in *Ireland* to warehouse his Spirits for Exportation, without Payment of Duty, in any of His Majesty's Stores or Warehouses at the Ports in the said Act mentioned and specified, or at any other Port in *Ireland* in which, or in the District in which such Port shall be situated, any Still of not less than Five hundred Gallons Content shall be licensed: Be it enacted, That from and after the passing of this Act it shall and may be lawful for every Distiller in *Ireland* to warehouse his Spirits for Exportation without Payment of Duty, in any of His Majesty's Warehouses at any Port in *Ireland* whatever, in which, or in the District wherein such Port shall be situated, any Still of any Content whatever shall be licensed by the Commissioners of Inland Excise and Taxes, subject nevertheless to the Provisions and Regulations contained in the said recited Act and in this Act, or any other Act or Acts for amending the said recited Act of the Forty sixth Year aforesaid. 46 G. 3. c. 88. § 93.

Spirits may be warehoused in Port where Still licensed.

XVI. And be it further enacted, That whenever Application shall be made to the Commissioners of Inland Excise and Taxes for a Licence to use or keep any Still or Stills in any Place being more than Ten Miles distant from the Seat of the Collection of Excise of the District in which such Place shall be situated, it shall be lawful for the said Commissioners, before granting such Licence, to require and take from the Person or Persons applying for the same, in lieu of the Security now required by Law, a Bond, with Two sufficient Sureties, in a Penalty not exceeding the Amount of One Month's Charge of Duty in respect of the Still or Stills to be licensed, conditioned for the Monthly Payment of all such Duties as shall be chargeable by Law on such Distiller, for the Duties on Spirits or Strong Waters distilled by such Distiller, or with which such Distiller shall be charged under or by virtue of this Act or any other Act or Acts in force relating to such Duties, and that whenever any such Bond shall be so given, it shall be lawful for the said Commissioners, from time to time, to direct that the Duties payable by such Distiller shall and may be received and required from and paid by such Distiller during the Period which shall be mentioned in such Direction, Monthly, that is to say, within Six Days after the Expiration of any Period of Four Weeks or Twenty eight Days, for which such Distiller shall be chargeable with such Duties, and that no Information shall be filed or prosecuted against any such Distiller for any Penalty to which such Distiller may have become liable by Law for not having made any Weekly Entry of the Quantity of Spirits 46 G. 3. c. 88. § 93.

Stills more than 10 Miles distant from Excise Office.

Security for Payment of Duty.

Information.

Proviso.

Spirits for which such Distiller is chargeable with Duty, or for not having paid such Duties Weekly during such Period: Provided always, that nothing herein contained shall exempt such Distiller from such Penalty if incurred, unless such Order shall be especially made by the said Commissioners, from time to time, under the Provisions of this Act, nor unless such Distiller shall have paid all Duties for which such Distiller shall be charged or chargeable for the Month in which any such Penalty may have been incurred. [See further 44 G. 3. c. 88. § 7. 66, 67.]

Allowance on
Spirits, charged
after 5th March
1810.

XVII. And be it further enacted, That if any Distiller shall have paid for any Spirits made or distilled by or charged upon such Distiller between the Fifth Day of *March* One thousand eight hundred and ten and the Day of the passing of this Act, a higher Duty than after the Rate of Two Shillings and Six pence *per* Gallon, *British* Currency, it shall be lawful for the said Commissioners of Inland Excise and Taxes, and they are hereby required to repay, upon Demand, unto every such Distiller the Excess of such higher Duty beyond the said Rate of Two Shillings and Six pence *per* Gallon.

In what Case un-
til Summer Af-
fizes, 1812,
Court shall not
fine Town Lands,
&c.

XVIII. And be it further enacted, That until the Commencement of the *Summer Assizes* which will be in the Year One thousand eight hundred and twelve, it shall not be lawful for the Court or Judge at the Assizes for any County or County of a City or Town in *Ireland*, or at any presenting Term in the County or County of the City of *Dublin*, to fine any Parish, Town-land, Manor or Lordship, in any Sum of Money or Penalty, on any Information which shall be given to any Justice of the Peace at any Time after the passing of this Act, for any Offence against any Act in Force in *Ireland* for the regulating and collecting the Duties on Spirits by the having, keeping or using any unlicensed Still or Part of a Still, or any Appendage to a Still, or any Worm, or any Utensil for distilling Spirits, or any Wash, Pot Ale, Low Wines or Singlings, contrary to Law, any Thing in an Act made in the Forty seventh Year of His present Majesty's Reign, intituled, *An Act to amend an Act made in the Forty sixth Year of His present Majesty, for the regulating and securing the Collection of the Duties on Spirits distilled in Ireland*, or in any other Act or Acts in Force in *Ireland* to the contrary notwithstanding.

47 G. 3. Sess. 2.
c. 17.

Consolidated
Fund.

XIX. And be it further enacted, That all Monies arising from the several Duties by this Act granted, the necessary Charges for collecting and paying the same being deducted, shall be carried to and made Part of the Consolidated Fund of *Ireland*.

Duties, Draw-
backs and Pe-
nalties, how le-
vied.

XX. And be it further enacted, That the several Duties and Drawbacks by this Act granted and allowed, and made payable, and all Penalties and Forfeitures under this Act, shall be raised, levied, collected, paid and allowed, sued for, recovered and applied, in the same Manner, and under such Powers and Authorities, and by such Ways and Methods, and according to such Rules and Directions, and under such Penalties and Forfeitures, as are appointed, directed and expressed, for raising, collecting, paying, levying, allowing and managing any Duties and Drawbacks, or for the Recovery of any Penalties or Forfeitures in and by an Act made in *Ireland*, in the Fourteenth and Fifteenth Years of His late Majesty King *Charles the Second*, intituled, *An Act for the settling the Excise or New Impost upon His Majesty, His Heirs and Successors, according to the Book of Rates therein inserted*, or in and by an Act made in the

14 & 15 Car. 2.
c. 8.
46 G. 3. c. 106.

the Forty sixth Year of His present Majesty, intituled, *An Act to provide for the better Execution of the several Acts relating to the Revenues, Matters and Things under the Management of the Commissioners of Customs and Port Duties, and of the Commissioners of Inland Excise and Taxes in Ireland, or in and by any other Act or Acts in force in Ireland relating to the Revenue of Customs and Excise, or either of them, as fully and effectually, to all Intents and Purposes, as if the same were herein expressed and enacted, with the like Remedy of Appeal to and for the Party or Parties aggrieved as in and by the said recited Act made in the Fourteenth and Fifteenth Year of His late Majesty King Charles the Second, or any other Act or Acts as aforesaid is provided.* 14 & 15 Car. 2. c. 8.

XXI. And be it further enacted, That this Act may be altered, amended or repealed by any Act or Acts to be made in this present Session of Parliament. Act may be altered.

C A P. XVI.

An Act for further continuing, until the Twenty fifth Day of March One thousand eight hundred and eleven, an Act of the Forty first Year of His present Majesty, for prohibiting the Exportation from *Ireland*, and for permitting the Importation into *Ireland*, Duty-free, of Corn and other Provisions.

[6th April 1810.]

‘ WHEREAS the Law hereinafter mentioned has by Experience been found useful and beneficial, and it is expedient that the same should be further continued;’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of an Act made in the Forty first Year of the Reign of His present Majesty, intituled, *An Act for enabling the Lord Lieutenant or other Chief Governor or Governors of Ireland, to prohibit for a limited Time, so as such Prohibition shall not endure beyond the Expiration of Six Weeks from the Commencement of the next Session of Parliament, the Exportation from Ireland of Corn or Potatoes, and of all Provisions whatsoever; and to permit for such limited Time the Importation into Ireland of Corn and Fish, and all Provisions whatsoever, without Payment of Duty; and for indemnifying such Persons as have acted for the Service of the Public, in advising and carrying into Execution certain Proclamations of the Lord Lieutenant and Council of Ireland, as enables the Lord Lieutenant or other Chief Governor or Governors of Ireland to prohibit the Exportation from Ireland of Corn or Potatoes, and of all Provisions whatsoever, and to permit the Importation into Ireland, of Corn and Fish and all Provisions whatsoever, without Payment of Duty; which by an Act, passed in the last Session of Parliament, was continued, and is in force until the Twenty fifth Day of March One thousand eight hundred and ten, shall be, and the same is hereby further continued until the Twenty fifth Day of March One thousand eight hundred and eleven, except so far as respects the Exportation of Corn, Grain or Flour, to Great Britain.* 41 G. 3. (U. K.) c. 36. § 1-5.

continued
till 25th March,
1811, &c.

C A P.

C A P. XVII.

An Act to continue, until the Twenty fifth Day of *March* One thousand eight hundred and eleven, an Act for regulating the Drawbacks and Bounties on the Exportation of Sugar from *Ireland*.
[6th April 1810.]

47 G. 3. Sess. 1.
c. 19.
continued till
March 25, 1811,
except allowing
Sugar to be
warehoused in
Ireland, &c.

• **W**HEREAS the Act hereinafter mentioned has by Experience
• been found useful and beneficial, and it is expedient that the
• same should be further continued in manner hereinafter mentioned ;
Be it therefore enacted by the King's most Excellent Majesty, by and
with the Advice and Consent of the Lords Spiritual and Temporal,
and Commons, in this present Parliament assembled, and by the Authority
of the same, That an Act made in the Forty seventh Year of
His present Majesty's Reign, intituled, *An Act to provide more
effectually for regulating the Drawbacks and Bounties on the Exportation
of Sugar from Ireland, and for allowing British Plantation Sugar
to be warehoused in Ireland, until the Twenty fifth Day of March One
thousand eight hundred and eight*; and which, by an Act made in
the last Session of Parliament, was continued until the Twenty
fifth Day of *March* One thousand eight hundred and ten, shall be, and
the same is hereby further continued, from the said Twenty fifth Day
of *March* One thousand eight hundred and ten, until and upon the
Twenty fifth Day of *March* One thousand eight hundred and eleven,
except only so much of the said recited Act of the Forty seventh
Year aforesaid, as relates to the allowing *British* Plantation Sugar to
be warehoused in *Ireland*, and which, under the Provisions of the
said recited Act of the last Session, is directed to be warehoused
under the Provisions of an Act made in the Forty eighth Year of His
present Majesty's Reign, for permitting Goods imported into *Ireland*
to be warehoused or secured without the Duties due on the Importa-
tion thereof being first paid.

Act may be al-
tered, &c.

II. And be it further enacted, That this Act, and the Act here-
by continued, may be amended, altered or repealed, by any Act to
be passed in this Session of Parliament.

C A P. XVIII.

An Act for the further continuing, until the Twenty fifth Day
of *March* One thousand eight hundred and eleven, certain
Bounties and Drawbacks on the Exportation of Sugar from
Great Britain; and for suspending the Countervailing Duties
and Bounties on Sugar when the Duties imposed by an Act of
the Forty sixth Year of His present Majesty shall be sus-
pended.
[6th April 1810.]

43 G. 3. c. 11.

• **W**HEREAS an Act passed in the Forty third Year of His
• present Majesty, intituled, *An Act for discontinuing certain
Drawbacks and Bounties on the Exportation of Sugar from Great
Britain, and for allowing other Drawbacks and Bounties in lieu
thereof, until the Fifteenth Day of January One thousand eight hun-
dred and four*; And whereas an Act passed in the Forty fifth Year
of His present Majesty, intituled, *An Act to amend Two Acts passed
in the Forty third and Forty fifth Years of His present Majesty for
regulating the Drawbacks and Bounties on the Exportation of Sugar*
• from

45 G. 3. c. 93.

' from Great Britain : And whereas Three other Acts passed in
 ' the Forty sixth, Forty seventh, and Forty eighth Years of His
 ' present Majesty, for further continuing the said Act of the Forty-
 ' third Year of His present Majesty : And whereas another Act pass-
 ' ed in the Forty ninth Year of His present Majesty, intituled, *An* 49 G. 3. c. 11.
 ' *Act for further continuing until the Twenty fifth Day of March One*
 ' *thousand eight hundred and ten, certain Bounties and Drawbacks on*
 ' *the Exportation of Sugar from Great Britain; and for suspending*
 ' *the Countervailing Duties and Bounties on Sugar when the Duties*
 ' *imposed by an Act of the Forty sixth Year of His present Majesty shall*
 ' *be suspended ;* And whereas an Act passed in the Forty ninth Year
 ' of the Reign of His present Majesty, intituled, *An Act for repeal-* 49 G. 3. c. 98.
 ' *ing the several Duties of Customs chargeable in Great Britain, and for*
 ' *granting other Duties in lieu thereof :* And whereas it is expedient that
 ' the Drawbacks allowed by the said last recited Act passed in the
 ' Forty ninth Year aforesaid, and the Bounties allowed by the said
 ' recited Act of the Forty fifth Year of the Reign of His present
 ' Majesty, should be further continued ;' Be it therefore enacted by
 the King's most Excellent Majesty, by and with the Advice and Con-
 sent of the Lords Spiritual and Temporal, and Commons, in this pre-
 sent Parliament assembled, and by the Authority of the same, That
 the several Drawbacks in the Schedule to the said last recited Act of
 the Forty ninth Year aforesaid annexed, and the Bounties in the Sche-
 dule to the said recited Act of the Forty fifth Year of the Reign of
 His present Majesty annexed, shall be respectively paid and allowed in
 like manner in every Respect, and subject to and under and according
 to the like Rules, Regulations, Restrictions, Penalties and Forfeitures,
 (except where any Alteration is made by this Act), as the said Draw-
 backs and Bounties were respectively paid or allowed before the passing
 of this Act.

Drawbacks in
 49 G. 3. c. 98.
 and Bounties in
 Schedule to
 45 G. 3. c. 93.
 paid as hereto-
 fore, &c.

II. And be it further enacted, That if on the Fifth Day of *May*, In what Case
 or on the Fifth Day of *September* One thousand eight hundred and Drawbacks al-
 ten, or on the Fifth Day of *January* One thousand eight hundred lowed, &c.
 and eleven, respectively, or any or either of the said Days, it shall ap-
 pear by Notice in the *London Gazette* in Manner directed by an Act
 made in the Thirty second Year of the Reign of His present Majesty,
 intituled, *An Act for regulating the Allowance of the Drawback and*
Payment of the Bounty on the Exportation of Sugar, and for permitting
the Importation of Sugar and Coffee into the Bahama and Bermuda
Islands in Foreign Ships, that the Average Prices of Brown or
 Muscovado Sugar, taken in Manner directed by the said recited Act
 for the preceding Quarter of the Year, shall not have exceeded Se-
 venty Shillings for an Hundred Weight, exclusive of the Duties of
 Customs paid or payable thereon on the Importation into *Great Bri-*
tain, then, and in every such Case the Drawback or Bounty in the
 Schedules to the said recited Acts, passed in the Forty ninth and
 Forty fifth Years of His present Majesty aforesaid respectively annex-
 ed, mentioned as corresponding to or with the Price of which such
 Notice in the *London Gazette* shall have been given as aforesaid, shall
 be paid or allowed until Notice of any other Average shall be given
 in the *London Gazette*, and such Drawback or Bounty shall be paid or
 allowed in like Manner in every Respect, and subject and under and
 according to the like Rules and Regulations, Restrictions, Penalties
 and Forfeitures, as any Drawbacks or Bounties were paid or allowed
 before

45 G. 3. c. 93.
 49 G. 3. c. 98.
 41 G. 3. (U.K.)
 c. 28. Tab. A.

before the passing of the said first recited Act, (except as any such Rules or Regulations are altered by the said recited Acts of the Forty ninth and Forty fifth Years aforesaid), and the Whole of the Duty granted by an Act passed in the Forty first Year of the Reign of His present Majesty, intituled, *An Act for granting to His Majesty certain Duties of Customs on Timber, Sugar, Raisins and Pepper, imported into, and on Lead exported from Great Britain*, upon Sugar imported into *Great Britain* by the United Company of Merchants of *England* trading to the *East Indies* and warehoused according to Law, and sold at the Sales of the said Company after the Thirtieth Day of *June* One thousand eight hundred and one, shall upon the Delivery thereof out of Warehouse for Exportation during the Time of any Drawbacks or Bounties being paid or allowed under this Act in respect of *British* Plantation Sugar, be wholly drawn back under such Rules, Regulations, Restrictions, Penalties and Forfeitures, as any former Drawbacks are paid and allowed; any Thing in an Act passed in the Thirty ninth Year of the Reign of His present Majesty contained to the contrary notwithstanding.

46 G. 3. c. 42.

§ 10.

In what Case
 Treasury may
 suspend
 countervailing
 Duties, &c.

‘ III. And whereas by an Act passed in the Forty sixth Year of the Reign of His present Majesty, intituled, ‘ *An Act for granting to His Majesty, during the present War and for Six Months after the Expiration thereof by the Ratification of a definitive Treaty of Peace, additional Duties on certain Goods, Wares and Merchandise, imported into and exported from, or brought or carried Coastwise within Great Britain*, the Lord High Treasurer or the Lords Commissioners of His Majesty’s Treasury, or any Three or more of them, are authorized to suspend the Payment of the Additional Duties of Customs on Sugar granted by the said recited Act, ‘ either in the Whole or in part, whenever the Average Price of Sugar ascertained as directed by Law shall be below the Prices mentioned in the said Act : And whereas it is expedient that during the Period of such Suspension the Countervailing Duties on Refined Sugar imported from *Ireland* into *Great Britain*, and the equivalent Drawback or Bounty on the Exportation to *Ireland* of refined Sugar of the Manufacture of *Great Britain*, and also the additional Bounty on the Exportation of Refined Sugar from *Great Britain* other than to *Ireland*, imposed and allowed by the said last recited Act, should in like Manner be suspended ;’ Be it therefore further enacted, That whenever the Lord High Treasurer or the Lords Commissioners of His Majesty’s Treasury for the Time being, shall exercise the Power vested in them, and shall, according to the Directions of the said Act, suspend the Payment of the Whole or Part of the Duties on Sugar thereby imposed, it shall be lawful for them, and they are hereby authorized and required, in like Manner, and for the like Period, to suspend either the whole of the additional countervailing Duties of Customs on refined Sugar of the Manufacture of *Ireland*, imported from thence into *Great Britain*, and of the additional Drawback or Bounty on the Exportation to *Ireland* of Refined Sugar of the Manufacture of *Great Britain*, and of the additional Bounty on the Exportation of Refined Sugar from *Great Britain*, other than to *Ireland*, imposed and allowed by the said last recited Act, or such Part thereof respectively as shall bear a just Proportion to the Amount of Duty so suspended.

VI. And

IV. And be it further enacted, That the said recited Act of the Forty third Year of His present Majesty, and all the Powers, Provisions, Authorities, Regulations, Clauses, Matters and Things in the said Act contained, shall be, and the same are hereby further continued from the Twenty fifth Day of *March* One thousand eight hundred and ten, and shall be and remain in full Force until the Fifteenth Day of *March* One thousand eight hundred and eleven for the Port of *London*, and until the Twenty fifth Day of *March* One thousand eight hundred and eleven for other Parts of *Great Britain*; and that this Act may be altered, varied or repealed by any Act or Acts to be passed in this present Session of Parliament

Continuance of
43 G. 3. c. 11.

C A P. XIX.

An Act for further continuing, until the Twenty fifth Day of *March* One thousand eight hundred and eleven, an Act made in the Thirty ninth Year of His present Majesty, for prohibiting the Exportation from and permitting the Importation to *Great Britain* of Corn, and for allowing the Importation of other Articles of Provision, without Payment of Duty.

[6th April 1810.]

‘ **W**HEREAS the Law hereinafter mentioned has by Experience been found useful and beneficial, and it is expedient that the same should be further continued;’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act, made in the Thirty ninth Year of His present Majesty, intituled, *An Act for enabling His Majesty to prohibit the Exportation and permit the Importation of Corn, and for allowing the Importation of other Articles of Provision, without Payment of Duty, to continue in force until Six Weeks after the Commencement of the next Session of Parliament*; which was continued by an Act of the Thirty ninth and Fortieth Year of His present Majesty, and amended and further continued by several subsequent Acts, until the Twenty fifth Day of *March* One thousand eight hundred and ten, shall, from and after the said Twenty fifth Day of *March* One thousand eight hundred and ten, be and the same is hereby further continued, until the Twenty fifth Day of *March* One thousand eight hundred and eleven, except so far as respects the Exportation of Corn, Grain or Flour to *Ireland*.

89 G. 3. c. 87.
continued till
March 25, 1811,
except so far as
respects the Ex-
portation of
Corn, &c. to
Ireland.

C A P. XX.

An Act for removing Doubts as to the Power of appointing Superintendants of Quarantine and their Assistants.

[6th April 1810.]

‘ **W**HEREAS by an Act passed in the Forty fifth Year of His present Majesty’s Reign, intituled, *An Act for making further Provision for the effectual Performance of Quarantine*, certain Powers and Authorities are given to the Superintendants of Quarantine or their Assistants, and Power is given to the Commissioners of the Treasury to appoint Officers at *Chebney Hill*, when the Lazaret there shall be completed; but no express Provision is made

45 G. 3. c. 10.
§ 1.

Superintendants
at Ports how to
be appointed.

‘ for the Appointment of such Superintendants and Assistants at
‘ the several Ports; and it is expedient to remove all Doubts as to
‘ such Appointments;’ Be it therefore enacted by the King’s most
Excellent Majesty, by and with the Advice and Consent of the
Lords Spiritual and Temporal, and Commons, in this present Par-
liament assembled, and by the Authority of the same, That all
Superintendants of Quarantine at the several Ports and their As-
sistants shall and may be appointed by any Instruments, signed by
Four of the Commissioners of the Customs for the time being, and
sealed with the Seal of their Office.

C A P. XXI.

An Act for amending and continuing so amended until the
Twenty fifth Day of *March* One thousand eight hundred and
twelve, an Act of the Forty fifth Year of His present Ma-
jesty, for consolidating and extending the several Laws in
force, for allowing the Importation and Exportation of cer-
tain Goods and Merchandize into and from certain Ports in
the *West Indies*. [6th April 1810.]

45 G. 3. c. 57.

Vessels having
more than one
Deck.

‘ **W**HEREAS it is expedient that, for a limited Time, the
‘ Trade carried on in Foreign Vessels by virtue of an Act
‘ passed in the Forty fifth Year of His present Majesty’s Reign, in-
‘ titled, *An Act to consolidate and extend the several Laws now in*
‘ *force, for allowing the Importation and Exportation of certain*
‘ *Goods and Merchandize into and from certain Ports in the West*
‘ *Indies*, should not be restricted to Vessels having only One Deck;’
Be it therefore enacted by the King’s most Excellent Majesty, by
and with the Advice and Consent of the Lords Spiritual and Tem-
poral, and Commons, in this present Parliament assembled, and by
the Authority of the same, That from and after the passing of this
Act, and until the Twenty fifth Day of *March* One thousand eight
hundred and twelve, it shall and may be lawful to import and ex-
port the Articles in the said Act mentioned, at the Ports therein
mentioned, under the Rules and Regulations of the said Act, in any
Foreign Sloop, Schooner, or other Vessel, as therein described, al-
though such Sloop, Schooner or Vessel shall have more than One
Deck; any Thing in the said Act to the contrary notwith-
standing.

C A P. XXII.

An Act for authorizing the Lords Commissioners of the Trea-
sury to purchase certain Quays within the Port of *London*.

[6th April 1810.]

43 G. 3. c. cxlv.

‘ **W**HEREAS an Act passed in the Forty third Year of the
‘ Reign of His present Majesty, intitled, *An Act to autho-*
‘ *rize the Advancement of further Sums of Money out of the Conso-*
‘ *lidated Fund, to be applied in the Improvement of the Port of Lon-*
‘ *don, by the Mayor, Aldermen and Commons of the City of London,*
‘ *in Common Council assembled; and to empower the Lords Commis-*
‘ *sioners of His Majesty’s Treasury to purchase the Legal Quays between*
‘ *London Bridge and the Tower of London.* And whereas an Act
‘ passed

‘ passed in the Forty sixth Year of the Reign of His present Majesty, intituled, *An Act to extend the Time for purchasing the Legal Quays and Warehouses in the Port of London, and for authorizing the Lords Commissioners of His Majesty’s Treasury to purchase Somer’s and Lyon’s Quays in the said Port*: And whereas another Act passed in the Forty seventh Year of the Reign of His present Majesty, intituled, *An Act to give further Time for purchasing the Legal Quays and Warehouses, in the Port of London*: And whereas it is expedient that the Powers, Authorities and Provisions, in the said Acts contained, for purchasing Legal Quays, should be revived and further continued and extended:’ May it therefore please Your Majesty that it may be enacted; and be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, ~~by~~ by the Authority of the same, That all the Powers, Authorities, Provisions, Regulations, Directions, Clauses, Penalties, Forfeitures, Matters and Things therein mentioned and contained, relating to the purchasing of Legal Quays, Warehouses, Buildings or other Works, or obtaining Possession thereof, shall be, and are by this Act revived, and shall be applied and extended, and shall operate and be in force, for the Purpose of enabling the said Lord High Treasurer, or the Lords Commissioners of the Treasury, to make and complete Purchases of any Legal Quays, Warehouses, Buildings or Works, or any Dwelling Houses, Warehouses, Buildings or other Premises, situate adjoining thereto, which the said Lord High Treasurer, or Lords Commissioners of the Treasury, may deem it necessary or expedient or proper to purchase at any time within Two Years after the passing of this Act, as fully and effectually, to all Intents and Purposes, as if the same Powers, Authorities, Provisions, Regulations, Directions, Clauses, Penalties, Forfeitures, Matters and Things, were particularly repeated and re-enacted in the Body of this Act.

46 G. 3. c. 116.

47 G. 3. Sess. 2. c. 60.

Treasury may make Purchases of Quays, &c.

II. Provided always, and it is hereby further enacted, That no Company, or any other Person or Persons whomsoever, who may hereafter become the Owners, Lessees or Occupiers of any such Legal Quays, shall not be compelled to part with their Estate and Interest therein, unless Twelve Months previous Notice in Writing shall have been given to the said Company, or any other Person or Persons as aforesaid, by the said Lord High Treasurer, or Lords Commissioners of the Treasury for the time being, of their Intention so to purchase the said Estate and Interest in such Quays, Warehouses, Buildings, and other Works aforesaid; and for the Purposes aforesaid, all the Powers, Provisions, Authorities, Regulations, Directions, Clauses, Penalties, Forfeitures, Matters and Things, in the said recited Act of the Forty third Year of the Reign of His present Majesty contained, relating to any such Legal Quays, Warehouses, Buildings, or other Works, or the purchasing thereof, or in an Act passed in the Thirty ninth and Fortieth Year of His present Majesty, therein referred to, authorizing and empowering Bodies Politic, Corporate or Collegiate, or Corporations Aggregate or Sole, Tenants for Life or in Tail, or other Persons having qualified or partial Estates or Interests, or Husbands, Females Coverts, Guardians, Trustees and Feoffees in Trust for Charities or other Purposes, Committees, Executors, or Administrators, or any other Persons

Notice to Owners, &c. of Quays, &c. of Purchase.

39 & 40 G. 3. c. xlvii.

whatever under any Incapacities or Inabilities, on Behalf of themselves or others, to treat and to compel any such Corporations or Persons to treat and agree for the Sale of any Houses, Buildings, Lands, Tenements or Premises, or in any wise relating thereto, or for ascertaining the Value of any such Premises, in case of any Refusal or Inability to treat, or for completing any such Purchases or obtaining Possession of any such Premises, or any other Matter or Thing relating thereto, shall, as far as the same are applicable, or can be applied, extend and be construed to extend to this present Act, and shall operate and be in force in respect to this Act, for the Purposes of enabling the Lords Commissioners of His Majesty's Treasury to complete the Purchases of the said Quays, Warehouses, Buildings or Works, aforesaid, or any Dwelling Houses, Warehouses, Buildings, or other Premises adjoining thereto, as fully and effectually to all Intents and Purposes, as if the same Powers, Authorities, Provisions, Regulations, Directions, Clauses, Penalties, Forfeitures, Matters and Things, were particularly repeated and re-enacted in Body of this Act.

C A P. XXIII.

An Act for granting Annuities to discharge certain Exchequer Bills. [6th April 1810.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom, in Parliament assembled, being desirous of making Provision to satisfy the Principal Sums contained in certain Exchequer Bills, now outstanding, to the Amount of Eight Millions Sterling, have resolved, that all Persons interested in or entitled unto certain Exchequer Bills, should be entitled in respect of the Principal Sums contained therein, to such Capital Stock in Annuities as are hereinafter mentioned, subject to the Provisions of this Act; We, Your Majesty's most faithful Commons, do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Person interested in or intitled unto any Exchequer Bill or Bills dated between the Twentieth Day of *February* One thousand eight hundred and nine, and the Sixteenth Day of *March* One thousand eight hundred and ten, bearing Interest at the Rate of Three pence halfpenny *per Centum per Diem*, who shall, between the Twentieth Day of *March* One thousand eight hundred and ten, and the Twenty seventh Day of *March* One thousand eight hundred and ten, both inclusive, have carried the same to the Office of the Paymasters of Exchequer Bills, and every Person interested in or entitled unto any Exchequer Bill or Bills dated as aforesaid bearing Interest at the Rate of Three pence Farthing *per Centum per Diem*, who shall between the Twenty second Day of *March* One thousand eight hundred and ten, and the Twenty seventh Day of *March* One thousand eight hundred and ten, both inclusive, have carried the same to the said Office, unless the said Principal Sum of Eight Millions Sterling shall have been sooner subscribed at the said Office, in such

In what Case
Holders of Ex-
chequer Bills
to receive Certi-
ficates.

Amount of Ex-
chequer Bills
exchanged.

such Exchequer Bills, shall be respectively paid the Interest that shall have become due thereupon to the Ninth Day of *April* One thousand eight hundred and ten, in Money, as soon after the said Ninth Day of *April* One thousand eight hundred and ten, as can conveniently be done, and shall have in exchange for such Exchequer Bills from such Paymasters, Certificates to the Governor and Company of the Bank of *England*, entitling the Holders of such Exchequer Bills, in respect of the Amount of the Principal Sums contained therein, to the Sum of One hundred and three Pounds Five Shillings Capital Stock in Annuities after the Rate of Five Pounds *per Centum per Annum*, to commence from the Fifth Day of *January* One thousand eight hundred and ten, for each One hundred Pounds contained in such last mentioned Certificates, and so in proportion for any greater Sum; and that all Persons interested in or entitled unto such Exchequer Bills as aforesaid shall, by having delivered the same between the respective Days aforesaid, into the said Office of Paymasters of Exchequer Bills, be deemed to have accepted of the aforesaid Terms; which said Annuities shall be paid and payable at the Bank of *England*, at the Times and in the Manner herein mentioned: Provided always, that the Amount of the Principal Sums contained in such Exchequer Bills, to be exchanged for Certificates in pursuance of this Act, shall not exceed the Sum of Eight Millions Sterling.

II. And be it further enacted, That it shall and may be lawful to and for the proper Officer or Officers, at the Office of the Paymasters of Exchequer Bills for the time being, to take in and receive from all and every Person and Persons, Natives or Foreigners, Bodies Politic or Corporate, who is, are or shall be possessed of, interested in, or entitled unto any such Exchequer Bills, all the said Exchequer Bills, to the Amount of Eight Millions Sterling, as aforesaid, which any such Person or Persons, Bodies Politic or Corporate, shall, between the respective Days aforesaid, have delivered to such Officer or Officers; and the said Paymasters of Exchequer Bills are hereby authorized and required, upon Receipt of any such Bills, to mark and cancel the same, and to pay the Interest that shall have become due thereupon to the said Ninth Day of *April* One thousand eight hundred and ten, and to make forth and sign the Certificates herein directed to be made out, in lieu of the Principal Sums contained in the said Bills, and to deliver the same to the Parties entitled thereto, as soon after the passing of this Act as conveniently can be done; and the said Paymasters of Exchequer Bills are hereby authorized and required to deliver to the Governor and Company of the Bank of *England* the Cheques or Counterfoils of such Certificates.

III. And be it further enacted, That all and every Person and Persons, Bodies Politic and Corporate, who shall have delivered any such Exchequer Bill or Bills as aforesaid, upon producing such Certificates as are hereby directed to be made forth by the said Paymasters of Exchequer Bills, in lieu of the Principal Sums contained in such Bill or Bills, shall, for every Sum of One hundred Pounds contained therein, and so in proportion for any greater Sum, have and be entitled to the Capital Stock in Annuities, hereinbefore mentioned, which shall be in lieu of such Exchequer Bills; and the Annuities thereon shall be payable half yearly at the Bank of *England*, on the Fifth Day of *July* and the Fifth Day of *January* in every Year; the First Payment to become due on the Fifth Day of *July* One thousand

Exchequer Office
to cancel Exchequer
Bills.

Certificates to
entitle to certain
Annuities pay-
able at the Times
herein mention-
ed.

Foreign attach-
ments.

Annuities pay-
able out of Con-
solidated Fund.

Certificates af-
signable before
August 1, 1810.

Bank on receiv-
ing Certificates
to give Credit
for Capital Stock.

Stock may be
transferred.

Exchequer to
issue Money to
Bank for Pay-
ment of Annu-
ties.

thousand eight hundred and ten, and that all Persons and Corporations entitled to any such Annuity or Annuities aforesaid, and his, her and their Administrators, Successors and Assigns respectively, and all Persons and Corporations lawfully claiming under him, her or them, shall have good, sure, absolute and indefeasible Estates and Interests in the said Annuities, according to the true Tenor and Meaning of this Act, until the Redemption thereof, in the manner herein directed; and shall be possessed thereof as of a Personal Estate, which shall not be descendible to Heirs, nor liable to any Foreign Attachment by the Custom of *London*, or otherwise; any Law, Custom or Usage to the contrary notwithstanding.

IV. And be it further enacted, That all the said Annuities shall be charged and chargeable upon and payable out of the Consolidated Fund of *Great Britain*, after paying or reserving sufficient to pay all such Sums of Money as have been directed by any former Act or Acts of Parliament; and shall be subject to Redemption by Parliament, in Manner hereinafter mentioned.

V. And be it further enacted, That all such Certificates as shall be delivered in Manner herein before mentioned, shall be assignable by Indorsement thereupon, made at any Time before the First Day of *August* One thousand eight hundred and ten, and no longer, and no such Certificate or Assignment thereupon shall be charged with any Stamp Duties whatever.

VI. And be it further enacted, That it shall and may be lawful to and for the said Governor and Company of the Bank of *England*, and their Successors, or such Person or Persons as they shall appoint for that Purpose, and he and they is and are hereby respectively authorized and required to take in and receive all and every of the Certificates to be made out in lieu of the said Bills as aforesaid, in pursuance of the Directions of this Act, and upon the Receipt of every such Certificate shall, and he and they is and are hereby required, in respect of every Sum of One hundred Pounds contained in such Certificates so brought to him or them as aforesaid, and so in proportion for any greater Sum, forthwith to give Credit in a Book or Books, to be prepared for that Purpose, for the Capital Stock hereinbefore mentioned, in the said Annuities of Five Pounds *per Centum per Annum*, and the Persons, Bodies Politic or Corporate, to whose Credit such Capital Stock shall be entered in the said Book or Books, his, her or their Executors, Administrators or Assigns, shall and may have Power to assign and transfer the same, or any Part, Share or Proportion thereof, to any other Person or Persons, Bodies Politic or Corporate whatsoever, in other Books to be prepared and kept for that Purpose; and the said Governor and Company for the time being shall also, on or before the Fifth Day of *January* One thousand eight hundred and eleven, transmit an attested Duplicate, fairly written on Paper, of the said Book or Books first hereinbefore mentioned, into the Office of the Auditor of the Receipt of His Majesty's Exchequer, there to remain for ever.

VII. And, for the more easy and sure Payment of the Annuities established by this Act, it is hereby further enacted, That the said Governor and Company of the Bank of *England*, and their Successors, shall from time to time appoint and employ One or more sufficient Person or Persons within their Office, in the City of *London*, to be their ~~Chief or first~~ Cashier or Cashiers, and One other Person or Persons

sons within the same Office to be their Accountant General, and that so much of the Monies from time to time being in the Receipt of the Exchequer of the said Consolidated Fund, by this Act made applicable for that Purpose, as shall be sufficient to answer the said Annuities, shall, by the Order of the Commissioners of the Treasury, or any Three or more of them, or the High Treasurer for the time being, without any further or other Warrant to be sued for, had or obtained in that Behalf, from time to time, at the respective Days of Payment in this Act appointed, be issued and paid at the said Receipt of the Exchequer, to the First or Chief Cashier or Cashiers of the said Governor and Company of the Bank of *England*, and their Successors, for the time being, by way of Imprest and upon Account for the Payment of the said Annuities, and that such Cashier or Cashiers to whom the said Monies shall from time to time be issued, shall from time to time, without Delay, apply and pay the same accordingly, and render his or their Accounts thereof according to the due Course of the Exchequer.

VIII. And it is hereby also enacted, That the said Accountant General for the time being shall from time to time inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereto, in order to prevent any Fraud, Negligence or Delay.

Accountant General to examine Cashier's Accounts.

IX. And be it further enacted, That all the Monies converted into Annuities after the Rate of Five Pounds *per Centum per Annum*, by virtue of this Act, or intended so to be, shall be deemed, reputed and taken to be One Capital or Joint Stock, and shall be added to and made Part of the Joint Stock of Annuities with, and shall be redeemable at the same time, and in like manner as the Annuities carrying an Interest after the Rate of Five Pounds *per Centum per Annum*, established by the Acts of the Twenty fourth, Twenty fifth, Thirty fourth, Thirty fifth, Thirty sixth, Thirty seventh, Forty eighth and Forty ninth Years of the Reign of His present Majesty, for granting Annuities to satisfy certain Navy, Victualling and Transport Bills, Ordnance Debentures and Exchequer Bills, and that all and every Person or Persons, and Corporations whatsoever, in proportion to the Money to which he, she or they shall become entitled as aforesaid by virtue of this Act, shall have, or be deemed to have, a proportional Interest and Share in the said Stock of Annuities at the Rate aforesaid.

Money converted into Five per Cent. Annuities to be added to Joint Stock of Five per Cent. already established.

X. And be it further enacted, That the said Capital or Joint Stock, or any Share or Interest therein, and the proportional Annuities attending the same, shall be assignable and transferable as this Act directs, and not otherwise; and that there shall constantly be kept in the Office of the said Accountant General for the time being, within the City of *London*, a Book or Books wherein all Assignments or Transfers of the said Capital or Joint Stock, or any Part thereof, and the proportional Annuities attending the same, at the Rate aforesaid, shall be entered and registered, which Entries shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers, or if any such Party or Parties be absent, by his, her or their Attorney or Attornies thereunto lawfully authorized by Writing under his, her or their Hands and Seals, to be attested by Two or more credible Witnesses, and that the Person or Persons to whom any such Transfer shall be made

Mode of transferring Stock.

Proviso.

shall respectively underwrite his, her or their Acceptance thereof, and that no other Method of assigning or transferring the said Capital or Joint Stock, and the Annuities attending the same, or any Part thereof, or any Interest therein, shall be good and available in Law, and that no Stamp Duties whatsoever shall be charged on the said Transfers, or any of them: Provided always, that all Persons possessed of any Share or Interest in the said Joint Stock of Annuities, or any Estate or Interest therein, may devise the same by Will in Writing, attested by Two or more credible Witnesses, but that no Payment shall be made upon any such Devise, until so much of the said Will as relates to such Estate, Share or Interest, be entered in the said Office; and that in default of such Transfer or Devise as aforesaid, such Share, Estate or Interest shall go to the Executors, Administrators, Successors and Assigns.

Counterfeiting
Certificates, &c.

XI. And be it further enacted, That if any Person or Persons shall forge or counterfeit, or cause or procure to be forged or counterfeited, or shall willingly act or assist in the forging or counterfeiting any Certificate or Certificates directed to be made out by this Act, or any Assignment thereof, or Indorsement thereon, or shall alter any Number, Figure or Word, in any such Certificate, or in any Assignment thereof, or Indorsement thereon, or utter or publish as true any such false, forged, counterfeited or altered Certificate or Certificates, or Assignment or Assignments thereof, or Indorsement or Indorsements thereon, with Intent to defraud His Majesty or the Governor and Company of the Bank of *England*, or any Body Politic or Corporate, or any Person or Persons whomsoever, every such Person or Persons so forging or counterfeiting, or causing or procuring to be forged or counterfeited, or willingly acting or assisting in the forging or counterfeiting, or altering, uttering or publishing as aforesaid, being thereof convicted in due Form of Law, shall be adjudged guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy.

Death.

Bank to continue
a Corporation for
the Purpose of
this Act.

XII. Provided also, and it is hereby further enacted, That the said Governor and Company of the Bank of *England*, and their Successors, notwithstanding the Redemption of all or any of their own Funds, in pursuance of the Acts for establishing the same, or any of them, shall continue a Corporation for the Purposes of this Act, until all the said Annuities shall be redeemed as aforesaid, and the said Governor and Company, or any Member thereof, shall not incur any Disability for or by reason of his or their doing any Matter or Thing in pursuance of this Act.

Taking Fee.

XIII. And be it further enacted, That no Fee, Reward or Gratuity whatsoever shall be demanded or taken for any Transfer of any Sum, great or small, to be made in pursuance of this Act, upon Pain that any Officer or Person offending, by taking or demanding any Fee or Gratuity contrary to this Act, shall, for every such Offence, forfeit the Sum of Twenty Pounds to the Party grieved, to be recovered, with full Costs of Suit, by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, Privilege, or Wager of Law, Injunction or Order of Restraint, or more than One Imparllance, shall be granted or allowed.

Penalty.

Bank to receive
a Compensation

XIV. Provided always, and be it further enacted, That the Commissioners of the Treasury, or any Three or more of them, now being,

being, or the High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being, shall have Power, and they are hereby authorized, out of the said Consolidated Fund, to reward all such Persons as shall be any ways employed in the Execution of this Act, for their Service, Pains and Labour, and also to defray such incident Charges as shall necessarily attend the same, and also to settle and appoint such Allowances as they shall think proper, for the Service, Pains and Labour of the Cashier or Cashiers of the said Governor and Company of the Bank of *England*, for receiving, paying and accounting for the said Annuities made payable by this Act, and also for the Service, Pains and Trouble of the said Accountant General of the said Governor and Company for performing the Duty and Trust incumbent on or reposed in him by this Act; all which Allowances to be made as aforesaid, in respect of the Service, Pains and Labour of any Officer or Officers of the said Governor and Company of the Bank of *England*, shall be for the Use and Benefit of the said Governor and Company, and at their Disposal only, any Thing herein contained to the contrary notwithstanding.

for their
Service.

XV. And be it further enacted, That if any Person or Persons shall at any time or times be sued, molested or prosecuted, for any Thing by him or them done or executed in pursuance of this Act, or of any Matter or Thing therein contained, such Person or Persons shall and may plead the General Issue, and give the special Matter in Evidence for his or their Defence; and if a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall discontinue his or their Action, or be nonsuited, or Judgment shall be given against him or them upon Demurrer or otherwise, then such Defendant or Defendants shall have Treble Costs to him or them awarded against such Plaintiff or Plaintiffs.

General Issue.

Treble Costs.

[See post. c. 36.]

C A P. XXIV.

An Act to amend an Act, passed in the last Session of Parliament, for completing the Militia of *Great Britain*; and to make further Provision for completing the said Militia.

[18th April 1810.]

WHEREAS by an Act passed in the Forty ninth Year of the Reign of His present Majesty, intituled, *An Act for completing the Militia of Great Britain*, Provision is made for placing the Men which shall be raised by Beat of Drum for the Regular Militia, to fill up Vacancies occasioned by Men having enlisted into the Line, in the Order and Succession to be fixed by Ballot in the Form prescribed by the said recited Act; and Provision is also made for apportioning, before any Ballot shall take place, the Men actually enrolled and so entered as aforesaid, and the Deficiencies to be supplied; but no Provision is made by the said Act for placing the Men which shall be raised by Beat of Drum over and above any Number which may have enlisted into the Line; May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That

49 G. 3. c. 53.
§ 6.

Deputy Lieutenants to apportion the Men raised by Beat of Drum and Men raised by Ballot.

That it shall be lawful for the Deputy Lieutenants of the several Counties, Ridings, Shires, Stewartries, Cities and Places in *England* and *Scotland* respectively, and they are hereby required at any General Meetings which shall be held, relating to the Regular Militia, or which shall be assembled, and which General Meetings are hereby required to be assembled in case it shall be necessary, to apportion and distribute any such Excess of Men raised by Beat of Drum over and above the Number of Vacancies occasioned by enlisting into the Line, and it shall be lawful for the Deputy Lieutenants at any General Meetings to be held for that Purpose, to alter, from time to time, any such Apportionments, and make new and further Apportionments or Distributions, and place any Men so apportioned or distributed or applied as aforesaid to any other Parishes, in case it shall appear to be necessary for the making a just Distribution of the Men so raised by Beat of Drum as aforesaid; and all such Apportionments and Distributions shall be made among the several Parishes either by Ballot and entering upon Lists of the Names of the Parishes or otherwise, and in any such Manner as shall appear to the Deputy Lieutenants at any such Meeting most effectually to produce an equal and just Distribution of the Men raised by Beat of Drum among the Parishes, and Apportionment of Men to be raised by Ballot under the said Act; and the Men entered and placed to any Parishes under any such Distribution or Apportionment shall thenceforth be deemed to belong to such Parishes, as to Relief of the Families of such Men, or thereafter supplying of any Vacancies, in like Manner as if such Men had been provided as Substitutes or Volunteers for such Parishes respectively.

Provisions in Mutiny Acts as to enlisting to extend to raising Men by Beat of Drum for Militia.

‘ II. And whereas Doubts have arisen whether the Provisions contained in any Act for punishing Mutiny and Desertion, in relation to the enlisting of Soldiers for His Majesty’s Service apply to the enlisting of Men by Beat of Drum for the Regular Militia;’ Be it therefore enacted, That all the Provisions contained in any Act of Parliament in force for the Punishment of Mutiny and Desertion; and the better Payment of the Army and their Quarters, in relation to the enlisting any Men for His Majesty’s Army, shall, as far as the same can be made applicable to the Men enlisted for the Regular Militia, be applied and used, and put in full force by all Justices of the Peace and others, and all Persons authorized to raise Men by Beat of Drum for the Militia, and preventing Frauds and absconding by Persons enlisted, and for the Protection of Persons having hastily enlisted, as fully and effectually as if all such Provisions were repeated and re-enacted as to the raising Men by Beat of Drum for the Regular Militia.

How Families of Persons raised by Beat of Drum shall be relieved.

III. And be it further enacted, That Families of all Persons raised by Beat of Drum and enrolled in the Regular Militia, if entitled to Relief, shall be relieved by the Overseers of the Poor of the Parishes where they reside at the time of the Man enlisting into the Militia, and such Parishes shall be repaid the Amount of such Relief by the Parish to which such Man shall be placed, in like Manner as any Sum given for the Relief of Families of Militia Men are repaid to Parishes having advanced the same under any Act relating to the Militia..

Provisions of Mutiny Acts relating to Apprentices extend to

IV. And be it further enacted, That all the Provisions contained in any Act in force for the Punishment of Mutiny or Desertion; and the

the better Payment of the Army and their Quarters, in relation to the enlisting of Apprentices and the claiming Apprentices by their Masters, and the Punishment of any Apprentices, and their Liability to Service after the Expiration of the Indentures, and all other Provisions in any such Act in relation to Apprentices or their Masters, shall, from and after the passing of this Act, extend or be construed to extend to all Apprentices who shall enlist or enrol themselves as Substitutes or Volunteers in the Regular Militia, and to the Masters of such Apprentices, as fully and effectually as if the same were severally and separately repeated and re-enacted in this Act.

V. And be it further enacted, That this Act may be altered, varied or repealed by any Act or Acts to be passed in this present Session of Parliament.

Act altered, &c.

C A P. XXV.

An Act to amend several Acts relating to the Local Militia of Great Britain. [18th April 1810.]

WHEREAS an Act passed in the Forty eighth Year of the Reign of His present Majesty, intituled, *An Act for enabling His Majesty to establish a permanent Local Militia Force, under certain Restrictions, for the Defence of the Realm*: And whereas an Act passed in the last Session of Parliament, intituled, *An Act to amend and render more effectual an Act passed in the last Session of Parliament, for enabling His Majesty to establish a permanent Local Militia Force, under certain Restrictions, for the Defence of the Realm*: And whereas an Act passed in the Forty eighth Year of the Reign of His present Majesty, intituled, *An Act for enabling His Majesty to establish a permanent Local Militia Force in Scotland, under certain Restrictions, for the Defence of the Realm*: And whereas an Act passed in the last Session of Parliament, intituled, *An Act to amend and render more effectual, an Act passed in the last Session of Parliament, for enabling His Majesty to establish a permanent Local Militia Force in Scotland, under certain Restrictions, for the Defence of the Realm*: And whereas another Act passed in the last Session of Parliament, intituled, *An Act to amend several Acts passed in the last and present Sessions of Parliament, relating to the Local Militia*: And whereas it is expedient that further Provisions should be made in relation to the Local Militia established by the said recited Acts; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in every Case in which His Majesty, by His Secretary of State or otherwise, shall have ordered and directed, or shall hereafter order and direct, that the Serjeants, Corporals and Drummers of the Local Militia allowed to remain on permanent Pay, shall be reduced in any Proportion below the Number allowed by the several Acts relating to the Local Militia of *England and Scotland* respectively, it shall be lawful for the Commanding Officer of any Regiment, Battalion or Corps, with the Approbation of the Lieutenant or Vice Lieutenant, or Deputy Lieutenant acting for the Lieutenant, in case the Lieutenant shall be absent, and of His Majesty's Secretary of State, to agree with the Serjeants, Corporals or Drummers of his Regiment, Battalion or Corps, or any of them, or with any other Persons

48 G. 3. c. 111.

49 G. 3. c. 40.

48 G. 3. c. 156.

49 G. 3. c. 48.

49 G. 3. c. 92.

In case of Reduction of Serjeants, &c. of Local Militia on permanent Pay, Commandants of Corps may agree with Serjeants, &c. to serve on reduced Pay.

Persons willing to engage to serve as such, to serve as Serjeants, Corporals and Drummers upon any reduced Pay, during the Periods of the Regiment, Battalion or Corps not being embodied or assembled for Exercise, in such Manner as to the Number of Days' Pay to be allowed, or the Reduction of any Proportion of the Pay *per Diem*, as shall be authorized by the Secretary of State in that Behalf; and every Serjeant, Corporal and Drummer, agreeing to serve as such upon any such reduced Pay as aforesaid, shall take the following Oath before some Deputy Lieutenant or Justice of the Peace of the County, or Magistrate of the Place to the Local Militia of which he shall belong; which Oath every such Deputy Lieutenant, Justice of the Peace or Magistrate, is hereby authorized to administer; (that is to say),

Oath.

‘ I *A. B.* do engage to serve as a [*Serjeant, Corporal or Drummer as the Case may be*] in the Local Militia of
 ‘ until I shall be duly discharged, upon the Terms
 ‘ of receiving during such Periods
 ‘ as such Local Militia shall not be embodied or assembled for Exercise.’

And every such Oath shall be reduced to Writing, and signed and attested by the Deputy Lieutenant, Justice of the Peace or Magistrate administering the same, and delivered to the Commanding Officer of the Regiment, Battalion or Corps, to which the Serjeant, Corporal or Drummer shall belong, and a Duplicate thereof shall, if required, be given to the said Serjeant, Corporal or Drummer, and every Serjeant, Corporal and Drummer so engaging to serve on such reduced Pay as aforesaid, shall be compellable to serve in the Local Militia for the full Period of his Services under the Acts relating to the Local Militia, in the same manner as if he had received the full Pay of his Rank therein, and shall be subject to the Provisions contained in any Act of Parliament which shall be then in force for the Punishment of Mutiny and Desertion; and for the better Payment of the Army and their Quarters, and the Articles of War made in pursuance thereof; and it shall be lawful for any Commanding Officer of Local Militia who shall engage any Serjeants, Corporals and Drummers to serve upon such reduced Pay, to retain such Number of Serjeants, Corporals or Drummers as shall be allowed by His Majesty's Secretary of State in that Behalf, so as that the whole Amount of such reduced Pay shall not exceed the Amount of the full Pay of the Number allowed in any such Order of Reduction as aforesaid; any Thing in any Act or Acts of Parliament to the contrary notwithstanding.

‘ II. And whereas Doubts have arisen whether any Officer or Non-commissioned Officer, or Private, in the Local Militia, can be tried or punished after the disembodying of the Regiment, Battalion or Corps of Local Militia to which he shall belong, or the Period of training and exercising of such Regiment shall have expired, or the same shall have been dismissed after the Suppression of any Riot or Tumult, for any Offence committed against any Act in force for the Punishment of Mutiny and Desertion or Articles of War made in pursuance thereof, during the Period of such Regiment being embodied or assembled for training and Exercise or the Suppression of Riots; and it is expedient that such Doubt should be removed:’ Be it therefore enacted, That every Officer, Non-commissioned

tioned Officer and Private Man of the Local Militia, who shall, during the Period of the Regiment, Battalion or Corps to which he shall belong, being embodied or assembled for training and Exercise, or for the Suppression of Riots and Tumults, have been guilty of any Offence against any Act of Parliament in force for the Punishment of Mutiny and Desertion, or any Articles of War made in pursuance of any such Act, and shall have been put under Arrest for, or shall have been reported to any Officer of his Regiment, Battalion or Corps, to have committed such Offence before the disembodiment or Dismissal of the Regiment, Battalion or Corps, may be tried by any General or Regimental Court Martial, consisting of Officers of the Militia, and if found guilty may be punished for such Offence, although the Regiment, Battalion or Corps to which such Officer, Non-commissioned Officer or Private Man shall belong, shall not then be embodied or assembled, in like Manner as any Officer, Sergeant, Corporal or Drummer, or Private Man of the Regular Militia may be tried during the Period of the Regular Militia being embodied.

Offences may be tried by a Court Martial after disembodiment of Regiment, &c. if committed prior thereto.

III. And be it further enacted, That from and after the passing of this Act, the Number of Days of Attendance at Muster and Exercise of Volunteer Corps to entitle any Person serving in Volunteer Corps to Exemption from Service in the Regular Militia and the Local Militia, shall be Eighteen Days, or any such Number of Days not exceeding Eighteen, as shall from time to time be fixed by His Majesty by any Order of his Principal Secretary of State, instead of Twenty four Days, any Thing in an Act passed in the Forty fourth Year of the Reign of His present Majesty relating to Volunteer Corps, or in any other Act or Acts of Parliament to the contrary notwithstanding; and the said Act and all Acts and Provisions in any Acts of Parliament relating to the Mustering and Exercising and Exemptions of Volunteer Corps, shall be construed, as to all Returns and Certificates of Commanding Officers of such Corps or others, as if the Number of Days specified had been Eighteen, or such Number as shall be so fixed as aforesaid instead of Twenty four; and such Number of Eighteen Days or such other Number as aforesaid, shall in like manner be divided into Six Days, or Three equal Parts in each Four Months, instead of Eight Days as is in the said Act provided, with such Provisions as to making good any Number of Days at different Periods, as is provided in relation to the Days of Exercise specified in the said Acts; and every Certificate shall specify the Number of Days of Exercise of the Person claiming the Benefit thereof.

Days of Muster and Exercise.

IV. And be it further enacted, That for providing proper Depôts for the Arms, Cloathing and Accoutrements of the Regiments, Battalions, and Corps or Companies of Local Militia in Scotland, it shall be lawful for the Clerks of General Meetings of the Lieutenancy, at the Request of the Officer commanding any such Regiment, Battalion, or Corps or Company, to draw upon the Collector of the Cess in each County respectively, for any Sum on account of each Regiment, Battalion, or Corps or Company, not exceeding the Proportion of Ten Pounds Sterling for every Six hundred Men, in any One year, and which Sum shall be paid to the Commanding Officer requiring the Clerk to draw for the same, and shall be by him applied in providing such Depôt, and shall be regularly accounted for by the Production of Receipts for the Money expended in

Depôts for Arms, &c. in Scotland.

Collectors of the Cess to pay the Expence.

in providing the said Depôts, which Receipts shall be delivered to the Collector of the Cess, and shall be a Discharge to him in his Accounts, and shall be delivered by him as Cash to the Receiver General of the Cess or Land Tax in Scotland.

V. And whereas sufficient Provision is not made in the said recited Act of the Forty eighth Year aforesaid, for procuring Returns of Deficiencies for the Purpose of having the same supplied before the Fourteenth Day of *February*, as in the said Act mentioned; and it is therefore expedient that the Provision in the said Act contained in relation to the Fines by the said Act imposed for not supplying Deficiencies shall be suspended; Be it therefore further enacted, That as much of the said last recited Act as enacts, that a Fine of Fifteen Pounds shall be raised and paid in respect of every Man deficient on the Fourteenth Day of *February*, shall be and the same is hereby suspended: Provided always, that every County, Hundred and Parish, shall be subject to the full Penalties by the said Act imposed and hereby suspended, in respect of every Man of any Regiment assembled for Training and Exercise, not joining during such Training and Exercise, and whose Vacancy shall not be supplied within Three Months after the Day of assembling of the Local Militia to which such Man shall have belonged, and such Proportion of such Fine shall be returned within the Periods of One and Two Months respectively after the Expiration of such Three Months, as are in the said Act specified in relation to Deficiencies supplied within certain Periods after the Fourteenth Day of *February*.

VI. Provided always, and be it further enacted, That the Constables and other Officers of all Parishes and Places for which any Local Militia Man shall be serving, shall make diligent Enquiry as to all Men enrolled in the Local Militia, for the Parishes or Places for which they shall respectively be Constables, and shall, before the Fourteenth Day of *November* in each Year, return to the Clerk of the Subdivision within which such Parishes or Places shall be, a true Account of all Persons serving for such Parish or Place in the Local Militia, specifying such as shall have died or left their Residence, and whether the Persons not then residing in such Parish or Place shall have wholly left such Parish or Place, or shall still retain any House, Residence or Lodging, in such Parish or Place, and also the Place to which such Persons shall have gone as have changed their Residences, if the same can be ascertained; and every Constable who shall neglect or refuse to make any such Return, or shall wilfully make any false Return, shall forfeit, for every such Offence, the Sum of Five Pounds, to be recovered and applied as any like Penalty may be recovered under any Act relating to the Militia; and all Deficiencies which shall by any such Returns be ascertained to have taken place, and shall have been returned to the Clerk of Subdivision Meetings of the Division or Place in which the same shall have arisen, before the Fourteenth Day of *November* in any Year, shall be supplied before the Fourteenth Day of *February* next succeeding, under such Penalty for any Default therein as is specified in the said recited Act.

VII. And be it further enacted, That every Person who shall have received any Bounty in respect of being enrolled in the Local Militia who shall afterwards enlist, and who shall not declare his true Name and the Parish for which he is serving, so as to enable a

Deduction

48 G. 3. c. 111.
§ 48.
Suspension of
Fines for Defi-
ciencies.

Constables to
make Returns,
and ascertain
Deficiencies to
be supplied.

Penalty.

Receiving Poun-
ty, and not de-
claring Name,
&c.

Deduction and Return and Repayment to be made in respect of such Bounty, and every Serjeant or Non-commissioned Officer who shall knowingly enlist any such Person and not deduct such Bounty, shall forfeit double the Amount of the Bounty so to be deducted, to be stopped out of the Pay of the Man so enlisting, or of such Serjeant or Non-commissioned Officer, in such Manner, and in such Proportion, as the Commanding Officer of the Regiment into which such Man shall enlist, and such Serjeant or Non-commissioned Officer shall belong respectively, shall direct, so as that the same shall be stoppt, and the whole of such Fine remitted and paid to the Agent General for the Local Militia, or to his Order, for the Use of the Parish entitled to the Return of Bounty. Penalty.

VIII. And be it further enacted, That every Local Militia Man enlisting or entering into the Army, Navy or Marines, or being enrolled as a Volunteer or Substitute in the embodied Militia, shall declare to the Person from whom he shall receive the Bounty upon such Enlisting, Entering or Enrolment, the Regiment of Local Militia to which he belonged, and the Period at which he was enrolled therein, and for what Parish, and in what County, he was serving, and the Amount of the Bounty (if any) which he received on being so enrolled in the Local Militia; and the Sum which shall have been paid to such Local Militia Man, upon his being enrolled in the Local Militia, shall be deducted from the Bounty to which such Man shall be entitled upon enlisting into His Majesty's Regular Forces, or into the Regular Militia, (as the case may be,) and shall be paid, if such Person shall enlist into the Line, to the Paymaster of the District into which such Man shall enlist, and accounted for to the Parish for which such Man was serving, and shall be repaid to such Parish under the Provisions of this Act; and the Name of the Person so enlisting, and the Regiment and County to which he belonged, and the Parish for which he was serving, and the Amount of the Bounty paid to the Paymaster of the District, shall be returned by the Officer commanding the Party with which such Man shall have enlisted, to the Agent General of the Local Militia, and shall be repaid to the Parish entitled thereto, in such manner, and under such Order, as shall be made by such Agent General in that Behalf. Local Militia Men enlisting into the Army, &c. to declare the Regiment.

Bounty, for which serving, &c.

IX. And whereas certain Persons have been enrolled for the Local Militia by Justices of the Peace, without any Deputy Lieutenant being present at such Enrolment, and it is expedient that such Enrolment should be made valid; Be it therefore enacted, That the Enrolment of all such Persons who shall have been so enrolled before the passing of this Act, and shall have taken the Oaths, shall be deemed good, valid and effectual as if the same had been made before any Deputy Lieutenant at any Meeting of Lieutenancy; and the said Justices are hereby indemnified for and on account of the same, and released and discharged from all Actions, Suits, Penalties and Forfeitures whatever, incurred by reason of having made any such Enrolments. Indemnity to Justices who have enrolled for Local Militia without Deputy Lieutenant being present.

X. And be it further enacted, That the Qualification of Captains, Lieutenants and Ensigns shall be of the same yearly Value, if Real Estate, or of the same Amount in Value, if Personal Estate, as the Qualification of Captains, Lieutenants and Ensigns respectively in the Regular Militia, for Cities and Towns being Counties of themselves; that is to say, For a Captain, an Estate of the Yearly Value Qualification of Captains, Lieutenants and Ensigns in Local Militia.

Value of One hundred and fifty Pounds, or Personal Property to the Amount in the Whole of Two thousand five hundred Pounds; and for a Lieutenant, an Estate of the yearly Value of Thirty Pounds, or Personal Property to the Amount in the Whole of Seven hundred and fifty Pounds; and for an Ensign, an Estate of the yearly Value of Twenty Pounds, or Personal Property to the Amount in the Whole of Four hundred Pounds.

Officers in Fencible Regiments.

XI. And be it further enacted, That every Officer who shall have held any Commission in any Fencible Regiment, Battalion or Corps, shall be eligible and qualified to hold any Commission of the same Rank in the Local Militia, without any other Qualification; any thing in any Act or Acts of Parliament relating to the Militia to the contrary notwithstanding.

48 G. 3. c. 111.
Certain Apportionments and Enrolments valid.

XII. And whereas Doubts have arisen as to the Apportionments and Enrolments of Men for the Local Militia which have been made for Parishes in which the Volunteers actually serving have not been taken as Part of the Number required by the said recited Act of the Forty eighth Year aforesaid for such Parishes for the Local Militia; and it is expedient that such Doubts should be removed; Be it therefore declared and enacted, That all such Apportionments and Enrolments, and all Acts, Matters and Things done and made in pursuance thereof, shall be deemed good, valid and effectual in Law, to all Intents and Purposes whatever; provided always, that in every such case all future Apportionments for the supplying of any Deficiencies or Vacancies which may thereafter arise in any County or Division, or Part of any County or Parishes, in or for which any such Apportionments have been made, or Enrolments have taken place, shall have regard to the Volunteers actually serving in the several Divisions or Parts of the County, or in or for the several Parishes thereof, or Part of the *Quota* or Proportions of Local Militia of such Divisions, Parts or Parishes.

Future Apportionments.

Proviso for Friendly Societies.

XIII. And be it further enacted, That no Member of any Friendly Society, serving or entering to serve in the Local Militia, shall by such Service be subject to any Fine or Penalty imposed by such Society for Non-attendance during the time of such Service; any thing in any Rule or Bye-Law of such Society notwithstanding.

Apprentices.

XIV. And be it further enacted, That it shall not be lawful for any Apprentice, being a Member of any Volunteer Corps, to transfer himself into the Local Militia without the Consent of his Master.

Exemption by Non-enrolment.

XV. And be it further enacted, That every Person who shall have been ballotted, and also shall have paid any Fine for not appearing to be enrolled in the Local Militia, shall be exempt from being balloted to serve in the Regular Militia for the Period of Two Years from the Period of his having been ballotted to serve in the Local Militia.

Act altered, &c.

XVI. And be it further enacted, That this Act may be altered, amended or repealed by any Act or Acts to be made in this present Session of Parliament.

C A P. XXVI.

An Act for granting a Duty on Foreign plain Linen taken out of Warehouse and exported to Foreign Parts.

[18th April 1810.]

WHEREAS it is expedient that plain Linen of all Sorts (except Sail Cloth) imported into *Great Britain*, and secured in Warehouses according to Law without Payment of Duty, should on the Exportation thereof from any such Warehouse for Foreign Parts be charged with a Duty of Customs according to the Value thereof; Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, there shall be raised, levied, collected and paid unto His Majesty, his Heirs and Successors, upon Linen plain of all Sorts (except Sail Cloth) which shall have been or may be so lodged and secured in any Warehouse in the Port of *London*, under the Regulations of an Act passed in the Forty third Year of the Reign of His present Majesty, intituled, *An Act for permitting certain Goods imported into Great Britain, to be secured in Warehouses without Payment of Duty*, or in any Warehouse at any other Port of *Great Britain*, under the Regulations of an Act passed in the Forty sixth Year of the Reign of his said present Majesty, intituled, *An Act to extend the Provisions of an Act made in the Forty third Year of His present Majesty, for permitting certain Articles to be warehoused in Great Britain, to other Articles not therein mentioned, and for other Purposes (a)*, and which shall be exported from any such Warehouse for Foreign Parts, for every One hundred Pounds of the true and real Value of such Linen the Sum of Fifteen Pounds, and so in proportion for any greater or less Value, to be ascertained by the Declaration of the Exporter or Exporters of such Linen, or of his known Agent or Factor, in the Manner and Form, and under all the Rules, Regulations and Restrictions, and subject to the same Penalties and Forfeitures as are made and provided for ascertaining, raising and collecting the Duties to be paid according to the Value thereof, by an Act passed in the Forty ninth Year of the Reign of His present Majesty, intituled, *An Act for repealing the several Duties of Customs chargeable in Great Britain, and for granting other Duties in lieu thereof*.

Duty on Exportation of plain Linen secured in Warehouse under 43 G. 3. c. 132. and

46 G. 3. c. 137.

49 G. 3. c. 98.

(a) [This Title of 46 G. 3. c. 137. is not correctly stated.]

II. And be it further enacted, That the Duties hereby granted shall be under the Management of the Commissioners of the Customs in *England* and *Scotland* respectively for the time being, and shall be appropriated and applied as the Duties upon Goods, Wares and Merchandize charged according to the Value thereof, are directed to be appropriated and applied by the said recited Act of the Forty ninth Year of His present Majesty.

Duties to be under Commissioners of Customs.

[See as to Repayment of Duties on Foreign Linen warehoused in certain Cases, post. c. 39.]

C A P. XXVII.

An Act to continue, until the Twenty fifth Day of *March* One thousand eight hundred and thirty one, certain Acts made in the Parliament of *Ireland*, for the better Regulation of the Silk Manufacture. [18th April 1810.]

19 & 20 G. 3.
(1.) c. 24.

36 G. 3. (1.)
c. 37.

40 G. 3. (1.)
c. 17.

Continued till
March 25th,
1831.

‘ **W**HEREAS an Act was made in the Parliament of *Ireland* in the Session held in the Nineteenth and Twentieth Year of His present Majesty’s Reign, intituled, *An Act for the better Regulation of the Silk Manufacture*; and by an Act made in the Parliament of *Ireland*, in the Thirty sixth Year of His present Majesty’s Reign, the said recited Act was continued, explained and amended; and by an Act made in the Parliament of *Ireland* in the Fortieth Year of His present Majesty’s Reign, the said recited Act was continued until the Twenty fifth Day of *March* One thousand eight hundred and ten; and it is expedient that the said Two first recited Acts should be further continued;’ Be it therefore enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Two first recited Acts shall be continued, and shall be in force from the said Twenty fifth Day of *March* One thousand eight hundred and ten, until and upon the Twenty fifth Day of *March* One thousand eight hundred and thirty one, and no longer.

C A P. XXVIII.

An Act for increasing the Rates of Subsistence to be paid to Innkeepers and others on quartering Soldiers.

[18th May 1810.]

Cap. 7. ante.

‘ **W**HEREAS by an Act passed in the present Session of Parliament, for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters, certain Rates are established in that Part of the United Kingdom of *Great Britain* and *Ireland*, called *England*, the Dominion of *Wales*, and the Town of *Berwick upon Tweed*, for the Payment of Innholders and others on whom Non-commissioned Officers and Private Soldiers are quartered and billeted, who shall be furnished with Diet and Small Beer at their Quarters; and an Option is given to such Innholders and others, to furnish certain Articles *gratis*, in lieu of Diet and Small Beer, at the Rates prescribed: And whereas the Rules prescribed for furnishing Soldiers with Necessaries are, in many Instances, become, from the high Price of Provisions, inadequate, and are productive of Distress to such Innholders and others;’ May it therefore please Your Majesty that it may be enacted; and be it enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Non-commissioned Officer and Private Soldier who shall be furnished with Diet and Small Beer within the aforesaid Parts of the United Kingdom, by the Innholders or other Persons on whom such Non-commissioned Officers or Private Soldiers shall be quartered and billeted by virtue of the said Act, shall pay

Allowance by
Non-Commis-
sioned Officers,
&c. for Diet, &c.
in Quarters in
England;

pay and allow for the same One Shilling and Four pence *per Diem* (a); and that the Accounts of the same shall be rendered, and Payment thereof made, in like manner as is directed in the said Act now in force touching the former Rates of Seven pence *per Diem* for the Cavalry, and Five pence *per Diem* for the Infantry.

(a) [*Eight Pence per Diem for a Dinner instead of the above Allowance, post. c. 96. § 1.*]

II. And be it further enacted, That in case any Innholders or other Persons on whom any Non-commissioned Officers or Private Men shall be quartered within the aforesaid Parts of the United Kingdom, shall, by virtue of the said Option in the said Act, furnish such Non-commissioned Officers or Soldiers with the Articles therein mentioned, in lieu of furnishing Diet and Small Beer, at the Rates prescribed by this Act, such Innholders or other Persons on whom such Non-commissioned Officers or Soldiers are quartered, and by whom the said Articles shall have been so supplied, shall receive, in consideration thereof, One Halfpenny *per Diem* for each Non-commissioned Officer and Soldier, instead of furnishing the same *gratis*, as required by the said Act; which Sum of One Halfpenny *per Diem* shall be accounted for and paid in like manner as is directed touching the Rates aforesaid.

and for Articles which have been furnished gratis in lieu thereof.

III. And be it further enacted, That the Sum to be paid to the Innholder or other Person within the aforesaid Parts of the United Kingdom, on whom any of the Horses belonging to His Majesty's Forces shall be quartered by virtue of the said Act, for Hay and Straw, shall be One Shilling and Two pence *per Diem* for each Horse, instead of Six pence *per Diem* as directed in the said Act.

For Hay and Straw for Horses quartered.

IV. And whereas the Provisions contained in the said recited Act, with respect to the Manner of dieting within the aforesaid Parts of the United Kingdom Non-commissioned Officers and Soldiers on a March, or employed in Recruiting, and likewise the Recruits by them raised, have been productive of much Inconvenience, as well to the Troops, as the Innholders; Be it further enacted, That so much of the said recited Act as relates to the manner of furnishing Non-commissioned Officers and Soldiers on a March, or employed in recruiting, and likewise the Recruits by them raised, with Diet or other Provision, be and the same is hereby repealed.

Recited Act in part repealed.

V. And be it further enacted, That all Non-commissioned Officers and Soldiers shall be entitled to receive their Diet and Small Beer from the Innholders or other Persons on whom they may be billeted, within the aforesaid Parts of the United Kingdom, at the Rates hereinbefore prescribed, while on the March, as also on and for the Day of their Arrival at the Place of their final Destination, and on the Two subsequent Days, unless either of the Two subsequent Days shall be a Market Day in and for the Town or Place where such Officers or Soldiers shall be billeted, or within the Distance of Two Miles thereof; in which case it shall and may be lawful for the Innholder, or other Person as aforesaid, to discontinue on and from such Market Day the Supply of Diet and Small Beer, and to furnish in lieu thereof the Articles in the said recited Act specified; and at the Rate hereinbefore prescribed.

Dieting Non-Commissioned Officers on March regulated.

Paying Money in
lieu of furnishing
Diet, &c.

Penalty.

Halting, entitled
to Diet, &c.

Halting after Ar-
rival on Market
Day, &c, Diet
not discontinued.

Recruiting
Parties, &c. on
March, Regula-
tions.

VI. Provided always, That if any Victualler or other Person liable by the said recited Act to have Soldiers billeted or quartered on him or her, shall pay any Sum or Sums of Money to any Non-commissioned Officer or Soldier on the March, in lieu of furnishing in Kind, the Diet and Small Beer, to which such Non-commissioned Officer or Soldier is entitled under the said Act, every such Victualler or other Person may be proceeded against and fined in like manner as if he or she had refused to furnish or allow according to the Directions of the said recited Act, the several Things respectively directed to be furnished to Non-commissioned Officers or Soldiers so quartered or billeted on him or her as aforesaid.

VII. Provided also, That if any Regiment, Troop, Company or Detachment, when on the March, shall be halted, either for a limited or indefinite Time, at any intermediate Place, the Non-commissioned Officers and Soldiers belonging thereto shall be entitled to receive their Diet and Small Beer from the Persons on whom they shall be billeted at such intermediate Place, for such time only for which they would be entitled to receive the same after arriving at the Place of their final Destination, according to this Act.

VIII. Provided nevertheless, That whenever it shall happen that any Regiment, Troop, Company or Detachment, when on their March, shall be halted, and it shall appear by the Marching Orders, that it is not intended that such Regiment, Troop, Company or Detachment, shall halt for any longer time than One intire Day after the Day of their Arrival at the Place of halting, and the Day after such Arrival shall be such Market Day as aforesaid, it shall not be lawful for the Innholders or other Persons on whom the Non-commissioned Officers and Soldiers shall be billeted, to discontinue on such Market Day the Supply of Diet and Small Beer to any such Officers or Soldiers; but that all such Officers and Soldiers, shall be entitled to receive their Diet and Small Beer from such Innholders and other Persons aforesaid, upon such Market Day as aforesaid, at the Rates hereinbefore prescribed, in like manner as they would have been entitled thereto, if such Day had not been a Market Day; any thing hereinbefore contained to the contrary hereof notwithstanding.

IX. And be it further enacted, That all Non-commissioned Officers and Private Men employed in recruiting, and the Recruits by them raised, shall, while on the March, and for Two Days after the Day of their Arrival at any Recruiting Station, be entitled to the same Benefits as are hereinbefore provided in regard to Troops upon the March; but no Recruit enlisted after the Two Days subsequent to the Arrival of the Party at their Recruiting Station, shall be entitled to be supplied with Diet and Small Beer at the Rate hereinbefore prescribed, except at the Option of the Person on whom he shall be quartered: Provided also nevertheless, that in case any such Recruiting Party, with the Recruits by them raised, shall remove from their Station, and after a time shall return to the same Place, they and the Recruits by them raised, so returning, shall not be again entitled to the Supply of Diet and Small Beer for such Two Days as aforesaid, unless the Period between the time of their Removal from such Place, and their Return thereto, shall have exceeded Twenty eight Days.

X. And

X. And be it further enacted; That this Act shall have Continuance from the Twenty fourth Day of *March* One thousand eight hundred and ten until the Twenty fifth Day of *March* One thousand eight hundred and eleven. Continuance.

XI. Provided always, and be it further enacted, That this Act may be altered and varied by any Act to be made in this Session of Parliament. Act altered, &c.

[*Powers of this Act extended to c. 96. post. see § 2. of that Act.*]

C A P. XXIX.

An Act to amend an Act of the last Session of Parliament, for amending the *Irish* Road Acts. [18th May 1810.]

‘ **W** HEREAS by an Act made in the last Session of Parliament, intituled, *An Act for amending the Irish Road Acts*, it was, among other Things, enacted, That from and after the End of the several Lent Assizes which shall be held in *Ireland* in the Year One thousand eight hundred and ten, no Affidavit for the accounting for the Repairs of any Road shall be allowed by the Grand Jury or by the Court at any Assizes or Presenting Term in or for any County or County of a City or Town in *Ir land*, unless it shall be specially stated in such Affidavit that there is not on either Side of any Part of the Road specified in such Affidavit, any Grip, Trench or Drain, without a Wall or other sufficient Defence between such Grip, Trench or Drain, and the Side of such Road: And whereas in many Parts of *Ireland* the Building of such Walls or other sufficient Fences may be attended with great Expence:’ Be it therefore enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Grand Jury, and the Court at any Assizes or *October* Session to be held in *Ireland*, to allow any Affidavit for the accounting for the Repairs of any Road (not being a Road on which His Majesty’s Mails are conveyed in Mail Coaches or Four-wheeled Carriages drawn by Two or more Horses) without its being stated, as is required by the said recited Act, that “there is not any Grip, Trench or Drain without a Wall or other sufficient Fence between the same and the Side of the Road,” provided that it appears that no former Grand Jury presented a Sum for making such Wall or Fence: any thing in the said recited Act to the contrary notwithstanding. 49 G. 3. c. 84. § 18.

Grand Jury, &c. may allow Affidavits without Statement required by recited Act;

II. And be it further enacted, That in all Cases where any new Line of Road shall have been surveyed, approved of, and presented by any Grand Jury and Court at any Assizes, whereby any Mail Coach Road now in Use, or any Part of such Road shall be proposed to be avoided; it shall be lawful for the Grand Jury and the Court to allow any Affidavit for accounting for the temporary Repair of the Part of such Mail Coach Road as is so to be avoided, although it shall not be specially stated in any such Affidavit that there is not on either Side of any Part of the Road specified in such Affidavit, any Grip, Trench or Drain, without a Wall or other “sufficient Defence between such Grip, Trench or Drain, and the Side of such Road;” any thing in the said recited Act of the last Session of Parliament to the contrary notwithstanding. and also Affidavits respecting temporary Repairs.

Overseers to
enter in Affidavit
Amount of
Sums awarded
for Damages for
taking away Gravel,
&c.

36 G. 3. (I.)
c. 55.

Act altered.

III. And be it further enacted, That in every Affidavit for accounting for any Presentment for the building, rebuilding, enlarging or repairing any Bridge, Arch, Gullet, Gaol, Session-house, Work-house, House of Correction, Pipe or Wall, or for the making, repairing or preserving any Road or Footpaths, or for the making Drains in order to carry off any Water which might injure any Bridge, Gullet, Arch, Pipe, Wall or Road, the Overseer making the same shall enter in the Account annexed thereto as an Item or Items composing Part of the Sum to be accounted for, the Amount of any Sum or Sums which may have been awarded for Damages incurred by his having taken away from the Grounds or Lands belonging to any Person any Stones, Gravel, Sand or Earth, for the Purpose of executing the Presentments which such Affidavit is to account for the Expenditure of, pursuant to an Act passed in *Ireland* in the Thirty sixth Year of the Reign of His present Majesty, for the Amendment of Public Roads, whether the probable Expence may or may not have been estimated previous to obtaining the Presentment.

IV. And be it further enacted, That this Act may be altered, varied or repealed by any Act to be passed in this Session of Parliament.

C A P. XXX.

An Act to regulate the Fees payable to Coroners in *Ireland*, upon holding Inquisitions. [18th May 1810.]

‘ **W**HEREAS Coroners in *Ireland* are at considerable Expence in holding Inquisitions, and are not sufficiently paid for the same;’ Be it therefore enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Grand Jury of each County in *Ireland*, County of a City, and County of a Town, at each Assizes or Presenting Term, to present any Sum not exceeding Five Guineas for each and every Inquest which any Coroner of that County shall have held since the preceding Assizes or Presenting Term; to be paid to the Treasurer of such County, and by him to the Coroner who shall have held the same, Proof being first made to the Satisfaction of the Grand Jury of his having made due Return of such Inquest to said Assizes or Presenting Term: Provided always, that the Money to be presented as aforesaid, at any one Assizes or Presenting Term shall not exceed in the Whole the Sum of Forty Guineas.

What Sum
Grand Jury
may present,
for Inquest.

Acts in Dublin.

II. Provided also, and be it further enacted, That nothing herein contained shall extend to Inquisitions held in Gaols in the County or County of the City of *Dublin*.

C A P. XXXI.

‘ An Act for augmenting the Salaries of the Lords of Session, Lords Commissioners of Justiciary, and Barons of Exchequer in *Scotland*, and Judges in *Ireland*. [18th May 1810.]

39 G. 3. c. 110. ‘ **W**HEREAS an Act was passed in the Thirty ninth Year of the Reign of His present Majesty, intituled, *An Act for the Augmentation of the Salaries of the Judges of the Courts in West-* minister

' minister Hall: and also of the Lords of Session, Lords Commissioners
 ' of Justiciary, and Barons of Exchequer in Scotland; and for
 ' enabling His Majesty to grant Annuities to Persons in certain Offices
 ' in the said Courts in Westminster Hall, on the Resignation of their
 ' respective Offices: And whereas another Act was passed in the
 ' Thirty ninth and Fortieth Years of the Reign of His present
 ' Majesty, to amend so much of the said in part recited Act, as
 ' relates to the Salaries of the Judges of the Courts of Session,
 ' Justiciary and Exchequer in Scotland: And whereas another Act
 ' was passed in the last Session of Parliament, intituled, *An Act for*
 ' *further augmenting the Salaries of certain of the Judges of the Courts*
 ' *in Westminster Hall, and of the Chief and Second Justice of Chester,*
 ' *and Justices of the Great Sessions in Wales:* And whereas an Act
 ' was passed in the Parliament of Ireland, in the Thirty sixth Year of
 ' the Reign of His present Majesty, intituled, *An Act for increasing*
 ' *the Salaries of the Chief Justices and other Judges of His Majesty's*
 ' *Courts of King's Bench and Common Pleas, and of the Chief Baron,*
 ' *and other Barons of the Court of Exchequer in this Kingdom:* And
 ' whereas it is expedient that a further Augmentation should be
 ' made in the Salaries of the Lords of Session, Lords Commissioners
 ' of Justiciary, and Barons of Exchequer in Scotland; and also in
 ' the Salaries of the *Puisne* Judges of the Courts of King's Bench
 ' and Common Pleas, and the *Puisne* Barons of the Court of Exche-
 ' quer in Ireland; We Your Majesty's most dutiful and loyal Sub-
 ' jects, the Commons of the United Kingdom of Great Britain and
 ' Ireland, in Parliament assembled, do most humbly beseech Your
 ' Majesty that it may be enacted; and be it enacted by the King's
 ' Most Excellent Majesty, by and with the Advice and Consent of the
 ' Lords Spiritual and Temporal, and Commons, in this present Parlia-
 ' ment assembled, and by the Authority of the same, That so much of
 ' the said recited Acts passed in the Thirty ninth and the Thirty ninth
 ' and Fortieth Years and Thirty sixth Year of the Reign of His present
 ' Majesty, as relates to the Amounts of the Sums to be paid as Sa-
 ' laries respectively, to the Lords of Session, Lords Commissioners of
 ' Justiciary, and Barons of the Exchequer in Scotland, shall be, and
 ' the same are hereby repealed.

89 & 40 G. 3.
c. 55.

49 G. 3. c. 127.

36 G. 3. (1.)
c. 26.

Relating to
Amount of Sala-
ries to Lords of
Session, &c. re-
pealed.

II. And be it further enacted, That from and after the passing of
 this Act, there shall be issued, paid and applied, in every Year, out
 of the Monies that shall arise from any of the Duties and Revenues
 in that Part of Great Britain called Scotland, which by several Acts
 made in the Seventh and Tenth Years of the Reign of Queen Anne,
 were charged or made chargeable with the Fees, Salaries, and other
 Charges allowed or to be allowed by Her Majesty, her Heirs or
 Successors, for keeping up the Courts of Session, Justiciary and
 Exchequer in Scotland, to the Judges in Scotland after mentioned, so
 much Money as will make up their respective Salaries to the annual
 Sums hereinafter mentioned; *videlicet*, To the Lord President of
 the Court of Session, Four thousand three hundred Pounds; to
 each of the other Lords of Session, who is not Lord Justice Clerk,
 or a Lord Commissioner of Justiciary, Two thousand Pounds; to
 the Lord Justice Clerk now presiding in the second Division of the
 Court of Session, Four thousand Pounds; to each of the Lords of
 Session, who are Lords Commissioners of Justiciary, Two thousand
 six hundred Pounds; to the Lord Chief Baron of the Court of
 Exchequer,

Salaries to Judges
of Court of
Session and Ba-
rons of Exche-
quer in Scotland.

46 G. 3. c. 65.

Additional Salaries to Judges in Ireland.

Commencement of Salaries.

Recited Acts extended to this Act.

Exchequer, Four thousand Pounds; and to each of the Barons of the Court of Exchequer, Two thousand Pounds; which said Sums of Money, to be issued in pursuance of this Act, shall from time to time from thenceforth be payable and paid Quarterly, clear from all Taxes and Deductions whatsoever (except the Duty chargeable by an Act passed in the Forty sixth Year of the Reign of His present Majesty, intituled, *An Act for granting to His Majesty during the present War, and until the Sixth Day of April after the Ratification of a Definitive Treaty of Peace, further additional Rates and Duties in Great Britain, on the Rates and Duties on Profits arising from Property, Professions, Trades and Offices; and for repealing an Act passed in the Forty fifth Year of His present Majesty, for repealing certain Parts of an Act made in the Forty third Year of His present Majesty, for granting a Contribution on the Profits arising from Property, Professions, Trades and Offices; and to consolidate and render more effectual the Provisions for collecting the said Duties.*

III. And be it further enacted, That from and after the passing of this Act, there shall be issued and paid, and applied, in every Year, out of the Taxes, Duties and Revenues which shall compose the Fund called *The consolidated Fund of Ireland*, to each and every of the *Puisne* Judges of the Courts of King's Bench and Common Pleas, and to each and every of the *Puisne* Barons of the Court of Exchequer, over and above the Sums now issued to the said Judges respectively, and in addition to the said Sums, and the Profits and Emoluments now received by the said Judges and Barons respectively, the Sum of Six hundred and fifty Pounds each; and that the said Sums of Money to be issued to the said Judges of *Ireland* shall be payable as the Salaries to the said Judges have heretofore been payable in *Ireland*, and together with the other Parts of their Salaries; and shall be paid without any Deduction for Peils or Poundage, or otherwise.

IV. And be it further enacted, That in addition to the Payments respectively issued to the said several Judges in *Scotland* upon the Fifth Day of *July* One thousand eight hundred and nine, and in *Ireland* on the Twenty fourth Day of *June* One thousand eight hundred and nine, and subsequent to that Period, there shall be issued to each of them respectively out of the said Duties and Revenues respectively chargeable with the Payment of their Salaries as aforesaid, such Sum and Sums of Money as will make up each of such Payments respectively to the Sum and Sums to which each of the said Judges would have been entitled if this Act had passed at the same time with the above recited Act made in the last Session of Parliament.

V. And be it further enacted, That the said several recited Acts, and all Clauses, Provisions, Rules, Regulations, Matters and Things therein contained, (so far as the same are applicable, and are not hereby altered) shall be in force and applied to carry into Effect the Purposes of this Act.

C A P. XXXII.

An Act to repeal certain Parts of several Acts of the Parliament in *Ireland* so far as relates to the limiting the Number of Persons to be carried by Stage Coaches or other Carriages; for enacting other Limitations in lieu thereof; and for other Purposes relating thereto. [24th May 1810.]

WHEREAS the Number of Passengers to be conveyed by Stage Coaches and other Carriages plying for Hire in *Ireland*, have been limited upon certain Roads by several Acts passed in the Parliament of *Ireland*: And whereas it is expedient to repeal so much of the said Acts as relates to the Limitation of Passengers, and the additional Tolls and Penalties which are thereby demandable and forfeited upon a greater Number being conveyed by such Stage Coaches or other Carriages than are specified in the aforesaid Acts; and to enact other Provisions and Regulations for carrying the aforesaid Objects into effect; and to regulate the Conduct of the Owners and Drivers of such Carriages; May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, so much of the several Acts of Parliament of *Ireland*, as relate to the Limitation of Passengers to be conveyed by Stage Coaches and other Four-wheeled Carriages; also so much of said Acts as relates to the additional Tolls and Penalties which are thereby demandable and forfeited in case of a greater Number being conveyed by Stage Coaches and other Four-wheel Carriages than is specified by the aforesaid Acts, be and the same are hereby repealed.

Irish Acts.

limiting Number of Passengers repealed.

II. And be it further enacted, That from and after the First Day of *July* One thousand eight hundred and ten, any Coach, Berlin, Landau, Chariot, Diligence, Calash, Chaise Marine, or other Carriage with Four or more Wheels, by what Name soever the same is or shall hereafter be called or known, to be employed as a Public Stage Coach or Carriage for the Purpose of conveying Passengers for Hire to and from different Places in *Ireland*, and drawn by Four or more Horses, shall be allowed to carry Six Inside and Ten Outside Passengers, and no more, exclusive of the Coachman, but including the Guard (where there is a Guard with such Coach); and that One of such Passengers, and no more, shall be allowed to sit upon the Box with the Coachman, Three of such Passengers on the Front of the Roof, and the remaining Six behind in the manner the most safe and convenient for the said Passengers; and that all Stage Coaches or other Carriages above described, drawn by Two or Three Horses, shall be allowed Four Outside Passengers, and no more, exclusive of the Coachman; and that all Stage Coaches called Long Coaches or Double Bodied Coaches, shall be permitted to carry in all Sixteen Passengers and no more, exclusive of the Coachman, but including the Guard (where there is a Guard with such Coach) under such Fines or Penalties as are by this Act imposed in Cases where more Passengers are carried than are allowed by this Act: Provided always, that no Child in the Lap or under Seven Years of Age shall be included in or counted as one of such Number.

Number of Persons conveyed by Stage Coaches, &c.

Children.

III. And

To be specified
in Licence.

III. And be it further enacted, that every Person who shall keep any Carriage to be employed as a public Stage Coach or other Carriage above described, for the Purpose of conveying Passengers for Hire to and from different Places in *Ireland*, shall, in the Licence which he is hereby required to take out from the Commissioners of Stamps in the City of *Dublin*, specify the Number of Passengers to be carried in or about such Coach or other Carriage above described, and that no such Licence shall in any Case be granted for more than Sixteen Inside and Outside Passengers in all, exclusive of the Coachman.

And to be
painted on Doors
of Coach, &c.

IV. And be it further enacted, That all and every Person or Persons who shall be duly licensed to keep any Coach or other Carriage above described, for the Purpose of conveying Passengers for Hire to and from different Places in *Ireland*, shall, and he, she or they is and are respectively directed and required to paint or cause to be painted, within Six Months from the passing of this Act, on the Outside of each Door of each such Coach or other Carriage above described, or on some other conspicuous Part thereof, in legible Characters of at least One Inch and a Half in length, and in a different Colour from the Ground on which the same is painted, and in Words at length, the Number of Passengers which the Licence obtained for such Carriages respectively shall specify or express, together with the Name or Names of the Person or Persons or Firm of the Company of Proprietors to whom such Coach or other Carriage shall belong; and if any Person or Persons shall employ or make use of any such Carriage as aforesaid, for carrying any Passengers for Hire to and from different Places in *Ireland*, without being licensed so to do, or without having the said Words painted on the Outside of each Door of such Carriage, or in such other conspicuous Part thereof and in such manner as is hereinbefore directed; or if any Coachman or other Driver shall at any time carry more Passengers than shall be specified or expressed in the Licence for using such Coach or other Carriage, every Person so offending shall, for each and every such Offence, forfeit and lose the Sum of Five Pounds, to be recovered and applied in the manner hereinafter specified by this Act.

Penalty.

Luggage carried
on Top of Coach.

V. And be it further enacted, That it shall not be lawful for any Driver, Owner or Proprietor of any such Coach or other Carriage above described, going or travelling for Hire, to carry or permit or suffer any Parcel or Parcels or Luggage whatever exceeding Two Feet in Height, to be conveyed on the Roof of any such Coach, Mail Coach or other Carriage above described, drawn by Four or more Horses: and where Carriages are drawn by Two or Three Horses, or are of the Description called Long Coaches or Double-bodied Coaches, then such Luggage not to exceed Eighteen Inches above the Roof; and every such Owner or Driver acting contrary thereto, and being convicted of such Offence, shall forfeit and pay the Sum of Five Pounds, said Penalty to be recovered and applied in manner hereinafter specified.

Penalty.

Drivers miscon-
ducting them-
selves to Passen-
gers, &c.

VI. And be it further enacted, That in case the Driver of any such Coach or other Carriage above described, or the Person acting as Guard, shall by reason of Intoxication, Negligence, or other Misconduct, endanger his Passengers in their Lives or their Property, or the Property of any other Person with which they may be entrusted,

or

or shall loiter on the Road ; or wilfully mispend or lose Time ; or shall use abusive or insulting Language to any Passengers ; or shall demand or exact more than the Fare due from any Passenger ; or shall not in all possible Cases travel at the Speed of such a Number of Miles an Hour as are fixed and expressed in and by the Time-bill carried with the same, unless the Circumstances of the Weather or the Occurrence of any Accident to the Coach or Horses shall prevent the same ; then and in every such Case the Driver or Guard (as the case may be) of such Coach or other such Carriage, so offending and being convicted thereof, shall forfeit and pay the Sum of Five Pounds for every such Offence, over and above the Sum or Sums of Money so embezzled, and shall make Compensation for all Damage or Loss occasioned by their Misconduct; such Penalty to be recovered and applied in manner hereinafter specified ; and in case of Non-payment every such Offender shall be committed to the Common Gaol or House of Correction of the County, City, Town, Division, or Place where such Offence shall have been committed, or where such Offender is actually present, there to remain without Bail or Mainprize for any time not exceeding Two Months nor less than Fifteen Days, at the Discretion of the Justice or Justices by or before whom any such Offender shall be convicted.

Penalty.

Imprisonment.

VII. And be it further enacted, That in case the Driver of any such Coach or other Carriage above described going or travelling for Hire, shall (at any Place or Places where Assistance can be procured), quit his Horses or the Box of such Coach or other Carriage above described, until a proper Person or Persons shall stand at the Head of the Horses or Fore-horses, so as to prevent them from running away, such Person or Persons to remain at their Head until the Driver has returned to his Box : and if such Driver shall neglect to attend to the same, he or they being duly convicted thereof, shall be subject to and forfeit and pay a Penalty of Five Pounds for each Offence, such Penalty to be recovered and applied in manner hereinafter specified ; and in case of Non-payment, every such Offender shall be committed to the Common Gaol or House of Correction of the County, City, Town, Division or Place where such Offence shall have been committed, or where such Offender is actually present, there to remain without Bail or Mainprize for any time not exceeding One Month nor less than Fifteen Days at the Discretion of the Justice or Justices by or before whom any such Offender shall be convicted : Provided nevertheless, that nothing in this Section or Clause contained shall extend or be construed to extend to Hackney Coaches being drawn by Two Horses only.

Drivers leaving Horses.

Penalty.

Imprisonment.

Proviso.

VIII. And be it further enacted, That any Summons issued by any Justice of the Peace commanding any Driver or Guard of any Coach or other Carriage above described, to appear before him at such Time or Place as to such Justice shall seem meet, for any Offence committed against this Act, shall be deemed good and sufficient Service in case the same be left with the known or acting Book-keeper, or any other Person having the Care of any Office where Places are usually taken or Parcels received for such Coach or other Carriage above described.

What good Service of Summons for Driver.

IX. And be it further enacted, That if any Constable or other Peace Officer shall refuse or neglect to execute any Warrant granted by any Justice of the Peace under this Act, every such Person so offending,

Neglecting to execute Warrants.

Penalty.

Imprisonment.

**Justices, &c.
may mitigate
Penalties.**

**Offences how to
be tried.**

Toll.

**Forms of Pro-
ceedings.**

Publick Act.

offending, and being convicted thereof, shall, for every such Offence, forfeit and pay the Sum of Forty Shillings: and in case the Person so convicted doth not forthwith pay or secure to be paid the said Penalty, then it shall be lawful for such Justice or Justices of the Peace to commit such Person to the Common Gaol or House of Correction of the County, City, Town, Division or Place, there to remain without Bail or Mainprize for any time not exceeding One Month, unless the said Penalty shall be sooner paid.

X. And be it further enacted, That if any Justice, Mayor, Bailiff, or other Chief Officer before whom any Person shall have been convicted for any Offence against the Provisions of this Act, shall see cause to mitigate any Penalty, every such Justice, Mayor, Bailiff, or other Chief Officer may mitigate or lessen the same to any Sum not less than Half of the Penalty or Forfeiture incurred, over and above all reasonable Costs and Charges expended or incurred in the Prosecution; and that One Moiety of the Penalty so imposed, with the said Costs and Charges, shall be paid to the Informer, and the other Moiety shall be paid either to the Clergyman of the Parish where such Offence is committed, or to the Clergyman of the Parish where such Justice resides, for the Use of the Poor of such Parish; such Penalty to be recovered in manner hereinafter specified.

XI. And be it further enacted, That all Offences committed against this Act shall and may be cognizable, and determined by and before any One or more Justice of the Peace, or before any Mayor, Bailiff, or other Chief Officer for any County, Shire, City, Borough or Town Corporate, or Place where any such Offence may happen to be committed, or where the Offender is actually present, upon the Oath or Oaths of One or more credible Witness or Witnesses, or upon the voluntary Confession of the Party, which Oath every such Justice, Mayor, Bailiff, or other Chief Officer is hereby required to administer, and upon Proof of any such Offence to give Judgment or Sentence for the Forfeiture or Penalty incurred, and for the reasonable Costs and Charges of the Prosecution (such Penalty and Costs to be levied by Distress and Sale of the Goods of such Offender, by Warrant under the Hand and Seal of such Justice or other Magistrate), or to commit the Person or Persons so convicted to the Common Gaol or House of Correction for the said County, Shire, Borough, Town Corporate or Place, for such time as is hereinbefore specified by the Provisions of this Act.

XII. And be it further enacted, That no Coach or other Carriage above described, conveying Persons for Hire, shall be charged or compelled to pay at any Toll or Turnpike Gate any greater Toll than is paid by other Coaches or Carriages drawn by an equal Number of Horses, any thing in any Act contained to the contrary in any wise notwithstanding.

XIII. And be it further enacted, That the Forms of the Proceedings relative to the several Matters contained in this Act which are set forth and expressed in the Schedule hereunto annexed, may be used upon all Occasions, and with such Additions or Variations as may be necessary to adapt them to the particular Circumstances of the Case; and that no Objection shall be allowed to be made or Advantage taken on account of want of Form in any such Proceedings.

XIV. And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged and taken to be a Publick Act, and

[As to England, post, c. 48.]

BE it remembered, That on the _____ Day of
in the Year of our Lord One thousand eight hundred and ____
at _____ in the County of _____ afore said, *A. B.*
came before me *C. D.* One of His Majesty's Justices of the Peace for
the said [County, et cetera] and informed me, that *et cetera* [*here
set forth the Fact in the Manner described by the Act*] whereupon the
said *E. F.* after being duly summoned to answer said Charge, appeared
before _____ on the _____ Day of _____
at _____ in the said County; and having heard the Charge
contained in the said Information, declared that he was not guilty
of the said Offence; but the same being fully proved upon the Oath
of *G. H.* a credible Witness, it manifestly appears to me the said
Justice, that he the said *E. F.* is guilty of the Offence charged upon
him in the said Information; it is therefore considered and adjudged
by me the said Justice, that he the said *E. F.* be convicted, and I do
hereby

hereby convict him of the Offence aforesaid; and I do hereby declare and adjudge, that he the said *E. F.* hath forfeited the Sum of _____ of lawful Money of *Great Britain*, for the Offence aforesaid, to be distributed as the Law directs, according to the Form of the Statute in that Case made and provided. Given under my Hand and Seal the _____ Day of _____ One thousand eight hundred and _____

After the Words "being duly summoned to answer the said Charge," insert [*did not appear before me pursuant to the said Summons*] or [*did neglect and refuse to make any Defence against the said Charge, but the same being fully proved, et cetera*] as before. After the Words "contained in the said Information," insert [*acknowledged and voluntarily confessed the same to be true; and it manifestly appears to me the said Justice, et cetera*] as above.

C A P. XXXIII.

An Act for enabling Tenants in Tail and for Life and also Ecclesiastical Persons to grant Land for the Purpose of endowing Schools in *Ireland*. [24th May 1810.]

5G. 2. (1.) c. 4.
§ 9.

WHEREAS by an Act of Parliament passed in *Ireland* in the Fifth Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for the further explaining and amending the several Laws for preventing Frauds committed by Tenants, and for the more easy Renewal of Leases, and for the further Amendment of the Law in certain Cases therein mentioned*, it is, amongst other Things, enacted, That it shall and may be lawful all Persons whatsoever seised in Fee Simple, Fee Tail or for Life in Possession in any Lands, with immediate Remainder to his, her or their own Issue, by his, her or their Deeds respectively, to grant any Part of such Lands not exceeding One Acre Plantation Measure, of the yearly Value of Thirty Shillings, and being no Part of the Demesne Lands usually occupied with or reputed as Demesne to the Mansion or Chief Dwelling House belonging to such Tenant in Fee Simple, Fee Tail or for Life, for the Use of a Resident Protestant Schoolmaster to teach the *English* Tongue, and that the Minister and Churchwardens and their Successors for ever of each respective Parish where such Acre of Land is or shall be so granted or set apart, shall be empowered and made capable of receiving such Grant or Grants of Land, not exceeding One Acre Plantation Measure, for the Use of such *English* Resident Protestant Schoolmaster to teach the *English* Tongue, and to no other Intent or Use whatever: And whereas the Provisions of the said Act in that respect have been found insufficient; Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, it shall and may be lawful to and for all Persons whatsoever seised of any Lands in Fee Simple, Fee Tail or for Life in Possession, with immediate Remainder

Grants of Land
in Towns Corporate,
&c. by

Remainder to his, her or their Issue, of any Interest in Lands, by his or their Deeds respectively, to grant any Part of such Lands not exceeding Half an Acre *Irish* Plantation Measure within the Liberties of any City or Corporate Town in *Ireland*, nor Two Acres *Irish* Plantation Measure in any other Part of *Ireland*, of whatever yearly Value the same may be, and being no Part of the Demefne Lands usually occupied with or reputed as Demefne, to the Mansion or Chief Dwelling House belonging to such Tenant in Fee Tail, or for Life, to any Person or Persons, Body or Bodies Corporate, whether Aggregate or Sole, who shall be approved of for that Purpose by the Bishop of the Diocese in which such Lands lie, and to his and their Heirs or Successors in Fee Simple, or for any lesser Interest; such Approbation to be expressed by such Bishop being a Party to and signing and sealing such Deed, in trust and for the Use of a Resident Schoolmaster, and subject to such Conditions respecting the Mode of appointing such Schoolmaster and his Successors, and the Plan of Education and Regulation of such School and its Concerns as shall be specified in such Deed, or as shall afterwards be agreed on by and between the Person or Persons so making such Grant of Land, or his or their Heirs, on the one Part, and all and every or any Person or Persons, Body or Bodies Politick or Corporate, their Heirs or Successors, on the other Part, who shall advance or shall have advanced any of his or their Money, or any Part of the Funds entrusted to their Management, to the Amount of not less than One hundred Pounds Sterling, either for the building of a School House on the Lands so granted, or for the Endowment of the Schoolmaster.

Land Owners
for Endowment
of Schools, &c.

II. And be it further enacted, That it shall and may be lawful in like manner for every Archbishop and Bishop, and Dean or Dean and Chapter, Archdeacon, or other Ecclesiastical Dignitary, Prebendary, Rector, Vicar, and all other Ecclesiastical Persons, with the Consent of the Archbishop or Bishop of their respective Dioceses, to make an absolute Grant by Deed or Deeds under their respective Hands and Seals, of any Quantity of Land to any of them respectively belonging, in right of their respective Archbishopricks, Bishopricks, and other Ecclesiastical Dignities, or as Glebe or otherwise, not exceeding One Acre, to any Person or Persons, Body or Bodies Politick or Corporate, who shall be approved of by such Archbishop or Bishop, the Consent and Approbation of such Archbishop or Bishop to be expressed by his being a Party to and signing and sealing such Deed, in trust for the Use of a Resident Schoolmaster, and subject to such Conditions respecting the Mode of appointing such Schoolmaster, and the Plan of Education and Regulation of such School, as is hereinbefore mentioned and expressed with respect to such Grant by other Persons hereinbefore mentioned.

Grants by
Ecclesiastical
Persons.

III. Provided always, and be it enacted, That no Grantees or Lessees, or his or their Heir or Heirs, Successor or Successors, shall be qualified to vote at the Election of any Member to serve in Parliament, as a Freeholder, by virtue of any Grant or Lease made by virtue of this present Act.

Grantee not en-
titled to vote at
Election.

C A P. XXXIV.

An Act for allowing the Exportation of *British* and *Irish* made Malt from one Part of the United Kingdom to the other. [24th May 1810.]

WHEREAS by the Laws now in force, Malt is prohibited from being imported into *Great Britain* and *Ireland* respectively: And whereas it is expedient that a free Intercourse thereof should be permitted between those Parts of the United Kingdom, subject to such Countervailing Duties on the Import thereof respectively, as shall be equal to the internal Duty payable on Malt in the Country into which such Malt shall be imported, and that all Malt imported from *Great Britain* to *Ireland*, or from *Ireland* to *Great Britain*, should be entitled to Drawbacks respectively, equal in Amount to such Countervailing Duties; Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *December* One thousand eight hundred and ten, it shall and may be lawful to import directly into *Great Britain* Malt unground made in *Ireland*; and also to import directly into *Ireland* Malt unground made in *Great Britain*, subject to the Duties and Drawbacks by this Act imposed and allowed, and under, subject and according to such Rules, Regulations, Restrictions and Provisions as are provided, settled or established of and concerning the same by this Act, or as may be provided, settled or established by any Act or Acts to be passed in this Session of Parliament. [See c. 53. post.]

Duties on Malt
unground im-
ported into *Great*
Britain from *Ire-*
land et c. contra.

Duties.

II. And be it further enacted, That for all such Malt so imported there shall be paid the following Countervailing Duties; that is to say, for every Bushel of such Malt made in *Ireland*, and imported directly from thence into that Part of *Great Britain* called *England*, the Sum of Four Shillings and Four pence; for every Bushel of such Malt made in *Ireland*, and imported directly from thence into that Part of *Great Britain* called *Scotland*, the Sum of Three Shillings and Eightpence, and Ten twentieths of a Farthing; for every Barrel of such Malt made in *Great Britain* and imported directly from thence into *Ireland*, the Sum of Ten Shillings *British* Currency.

Drawbacks.

III. And be it further enacted, That for all such Malt so exported there shall be allowed the following Drawbacks; that is to say, for every Bushel of Malt made in that Part of *Great Britain* called *England*, for which all the Duties imposed for or in respect thereof shall have been fully paid and exported from thence to *Ireland* unground, the Sum of Four Shillings and Four pence; for every Bushel of Malt made from Barley or any other Corn or Grain, except Beer or Big, in that Part of *Great Britain* called *Scotland*, for which all the Duties imposed for or in respect thereof shall have been fully paid, and exported from thence to *Ireland* unground, the Sum of Three Shillings and Eight pence and Ten twentieths of a Farthing; for every Barrel of Malt made in *Ireland*, for which all the Duties imposed for or in respect thereof shall have been fully paid, and exported from thence to *Great Britain* unground, the Sum of Ten Shillings *British* Currency.

8†

IV. And

IV. And be it further enacted, That by the Bushel in this Act mentioned, so far as relates to the Draw-back on the Exportation of Malt from *Great Britain* and the Duty on the Importation thereof into *Great Britain*, is meant and intended a Bushel, according to the Standard remaining in the custody of the Chamberlain of His Majesty's Exchequer in *England*, commonly called or known by the Name of *The Winchester Bushel*, and that every round Bushel with a plain and even Bottom being made Eighteen Inches and a Half Wide throughout, and Eight Inches Deep shall be esteemed for the Purposes aforesaid, a legal *Winchester Bushel* according to the said Standard; and that by the Bushel in this Act mentioned, so far as relates to the Drawback on the Exportation of Malt from *Ireland*, and the Duty on the Importation thereof into *Ireland*, is meant and intended the Bushel known by the Name of *The Winchester Bushel*, containing Eight Gallons of Two hundred and seventy two Cubical Inches and a Quarter of an Inch each, and that Four such Bushels shall be deemed a Barrel.

Description of
Bushel,

and Barrel.

V. And be it further enacted, That such of the said Duties and Drawbacks as shall arise in that Part of *Great Britain* called *England*, shall be under the Management of the Commissioners of Excise in *England* for the time being; and such thereof as shall arise in that Part of *Great Britain* called *Scotland*, shall be under the Management of the Commissioners of Excise in *Scotland*, for the time being; and such thereof as shall arise in *Ireland*, shall be under the Management of the Commissioners of Customs and Port Duties in *Ireland* for the time being; and that such Duties and Drawbacks as shall arise in that Part of *Great Britain* called *Ireland*, shall be managed, ascertained, raised, levied, collected, answered, paid, recovered and accounted for in *Ireland*, in such and the like manner as any Duties or Drawbacks of a like Nature payable in *Ireland*, and under and subject to the several Powers, Conditions, Regulations, Rules, Restrictions, Forfeitures, Fines, Pains and Penalties now in force, in relation to or made for securing the Revenue of Customs and Port Duties in *Ireland*, and all Fines, Pains, Penalties or Forfeitures for any Offence committed against or in breach of any Act of Parliament in force at the time of passing this Act, for recovering the said Revenues in *Ireland*, shall be in full Force as to the said Duties and Drawbacks, as fully and effectually as if they were made a Part of this Act.

Duties and
Drawbacks in
G. B. under
Excise, in I.
under Customs,
&c.

VI. And be it further enacted, That all the Monies arising by the Duties by this Act imposed, the necessary Charges of raising and accounting for the same excepted, shall, from time to time, be paid into the Receipt of His Majesty's Exchequer at *Westminster* and *Dublin* respectively, and shall be carried to and made Part of the Consolidated Fund of *Great Britain* and *Ireland* respectively.

Consolidated
Fund.

VII. And be it further enacted, That this Act shall commence and take effect as to all such Matters and Things therein contained, in respect whereof no Special Commencement is hereby directed or provided, from and immediately after the First Day of *December* One thousand eight hundred and ten.

Commencement.

C A P. XXXV.

An Act for altering the Mode of collecting the Duty on Insurances against Loss by Fire, upon Property in His Majesty's Islands and Possessions in the *West Indies*, and elsewhere beyond the Seas; and for exempting certain Bonds and Receipts from Stamp Duty; for giving Relief in certain Cases of Stamps spoiled or misused; and for explaining Part of an Act passed in the Forty eighth Year of His Majesty's Reign, for granting Stamp Duties in *Great Britain*. [24th May 1810.]

- 22 G. 3. c. 48. ' WHEREAS by an Act passed in the Twenty second Year of
 ' His Majesty's Reign, intituled, *An Act for charging a Duty*
 ' on Persons whose Property shall be insured against Loss by Fire; a
 § 1. ' yearly Duty of One Shilling and Six pence *per Centum* was imposed
 ' upon all Sums insured on any Property against Loss by Fire; and
 ' all Persons who should publicly or privately insure or keep any
 § 3. ' Office for insuring Property against Loss by Fire were required to
 ' take out a Licence for that Purpose from the Commissioners of
 ' Stamps, and to enter into Bonds to His Majesty for securing the
 ' Payment of the Duties payable in respect thereof: And whereas
 ' the yearly Duty imposed by the said Act, together with an addi-
 44 G. 3. c. 98. ' tional yearly Duty of Six pence imposed by a subsequent Act, was
 ' repealed by an Act passed in the Forty fourth Year of His
 ' Majesty's Reign, and a yearly Duty of Two Shillings and Six pence
 ' *per Centum* was thereby imposed upon all Sums insured on Property
 ' against Loss by Fire, in lieu thereof; which new Duty is secured and
 ' collected by and under the Regulations and Provisions of the said
 ' Act of the Twenty second Year of His Majesty's Reign: And
 ' whereas many Persons having Property in *Trinidad*, and in others of
 ' His Majesty's Islands and Possessions in the *West Indies* and else-
 ' where beyond the Seas, cannot procure the same to be insured
 ' against Loss by Fire, to the Amount desired by the public Corpo-
 ' rations or Companies by whom Insurances against Fire are most
 ' commonly made, and they cannot procure Insurances to be made on
 ' such Property by Individuals, because of the Regulations of the
 ' said Act of the Twenty second Year of His Majesty's Reign,
 ' which are found inconvenient, as applied to them; May it there-
 fore please Your Majesty that it may be enacted; and be it enacted
 by the King's Most Excellent Majesty, by and with the Advice and
 Consent of the Lords Spiritual and Temporal, and Commons, in this
 present Parliament assembled, and by the Authority of the same,
 That from and after the passing of this Act, it shall be lawful for
 any Person or Persons in *Great Britain*, to insure any Houses,
 Buildings, Goods, Wares, Merchandise, or other Property situated
 and being in any of the Islands, Settlements or Territories belonging
 to or under the Dominion of His Majesty, his Heirs or Successors,
 in the *West Indies*, or elsewhere beyond the Seas, against Loss or
 Damage by Fire, without taking out a Licence, and entering into
 a Bond to His Majesty, pursuant to the Directions and Regulations
 of the said Act of the Twenty second Year of His Majesty's Reign,
 and without being liable to the said yearly Duty imposed by the said
 Act of the Forty fourth Year of His Majesty's Reign, but subject
 nevertheless to the Regulations and Restrictions hereinafter contained.

Houses, &c. in
West Indies, &c.
 insured without
 Licence under
 22 G. 3. c. 48.
 or Duty under
 44 G. 3. c. 98.

II. And

II. And be it further enacted, That in lieu of the said yearly Duty imposed by the said Act of the Forty fourth Year of His Majesty's Reign, there shall be raised, levied and paid, from and after the passing of this Act, unto and for the Use of His Majesty, his Heirs and Successors, in and throughout *Great Britain*, for and in respect of every Policy of Assurance or Insurance or other Instrument, by whatever Name the same shall be called, whereby any Insurance shall be made by any Person or Persons not being licensed as aforesaid, of or upon any Building, Goods, Wares, Merchandize, or other Property situated and being in any of the Islands, Settlements or Territories belonging to or under the Dominion of His Majesty, his Heirs or Successors, in the *West Indies*, or elsewhere beyond the Seas, from Loss or Damage by Fire, or for or in respect of the Vellum, Parchment or Paper upon which any such Policy or Instrument shall be written or printed, the Duty following; that is to say, If the whole Sum thereby insured shall not exceed One hundred Pounds, a Duty of Two Shillings and Six pence; and if the whole Sum thereby insured shall exceed One hundred Pounds, then for every One hundred Pounds, and also for any fractional Part of One hundred Pounds, whereof the same shall consist, a Duty of Two Shillings and Six pence, over and besides the Duty of One Shilling, charged on every such Policy or Instrument by an Act passed in the Forty eighth Year of His Majesty's Reign.

Duty on Insurances.

43 G. 3. c. 149.

III. And be it further enacted, That no such Insurance shall be made by any Person or Persons, not being licensed as aforesaid, for any longer Period of time than Twelve Calendar Months, either absolutely or conditionally, in and by any One Policy or Instrument, and that every Policy or Instrument, whereby any such Insurance shall be made or attempted to be made by any Person or Persons not being licensed as aforesaid, for any longer Period of time, either absolutely or conditionally, shall be wholly null and void to all Intents and Purposes, and the Person or Persons making or attempting to make such Insurance shall, for every such Offence, forfeit the Sum of Fifty Pounds.

Insurances to be made only for a Year.

Penalty.

IV. And be it further enacted, That the said Duties hereby granted shall be under the Care and Management of the Commissioners for the time being appointed and authorized by his Majesty, his Heirs or Successors, to manage the Duties on Stamped Vellum, Parchment and Paper; which said Commissioners, and the major Part of them, are hereby empowered and required to provide proper and sufficient Stamps or Dies for expressing and denoting the said Duties hereby granted, or the Amount thereof respectively, upon the Vellum Parchment or Paper chargeable therewith, and to alter and renew the same from time to time as Occasion shall require; and also to employ such Officers and Persons under them, and to do all such other Acts and Things as shall be thought necessary or expedient for effectually raising and collecting the said Duties hereby granted, and for putting this Act into Execution, in the like and in as full and ample manner as they or any former Commissioners are or have been authorized to do for the raising and collecting of any former Stamp Duties, or for putting into Execution any Act or Acts of Parliament relating thereto.

Duties to be under Commissioners for Stamps.

V. And be it further enacted, That it shall be lawful for the said Commissioners to use any of the Stamps or Dies heretofore provided

Stamps heretofore provided, &c.

to denote any former Stamp Duties for the Purpose of expressing and denoting the said Duties hereby granted, or the Amount thereof, and also to use Two or more Stamps for denoting the Amount of the Duties hereby granted, as Occasion may require, until a single Stamp shall be provided for that Purpose.

Forging Stamps.

VI. And be it further enacted, That if any Person or Persons shall forge or counterfeit or cause or procure to be forged or counterfeited, any Stamp or Die which shall be provided, made or used in pursuance of this Act, or any Stamp or Die which shall have been provided, made or used in pursuance of any former Act or Acts relating to any Stamp Duty or Duties, or shall forge, counterfeit or resemble, or cause or procure to be forged, counterfeited or resembled, the Impression of any such Stamp or Die as aforesaid, upon any Vellum, Parchment or Paper, with Intent to defraud His Majesty, his Heirs or Successors, of any of the Duties hereby granted; or if any Person or Persons shall utter, or sell, or expose to Sale, any Vellum, Parchment or Paper, having thereupon the Impression of any such forged or counterfeited Stamp or Die, or any such forged, counterfeited or resembled Impression as aforesaid, knowing the same respectively to be forged, counterfeited or resembled; or if any Person or Persons shall privately and secretly use any Stamp or Die by this or any former Act directed or allowed to be used for denoting any of the Duties granted by this or any former Act, with Intent to defraud His Majesty, his Heirs or Successors, of any of the said Duties hereby granted, then every Person so offending and being thereof lawfully convicted, shall be adjudged a Felon, and shall suffer Death as in Cases of Felony without Benefit of Clergy.

Death.

Former Stamp Acts in force.

VII. And be it further enacted, That all the Powers, Provisions, Clauses, Regulations and Directions, Fines, Forfeitures, Pains and Penalties contained in and imposed by any former Act or Acts of Parliament relating to any Stamp Duties, shall be of full Force and Effect with respect to the Duties hereby granted, as far as the same are or shall be applicable in all Cases, Matters and Things not hereby expressly provided for, and shall be observed, applied, enforced and put in Execution for the raising, levying, collecting and securing of the said Duties hereby granted, and otherwise relating thereto, so far as the same shall be consistent with the express Provisions of this Act, as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted with reference to the said Duties hereby granted.

In what Case Stamps given in lieu of improper ones.

VIII. Provided always, and be it further enacted, That if any such Policy or Instrument of Insurance as aforesaid shall be subscribed or underwritten by any Person or Persons for Part only of the Sum intended to have been thereby insured, and for which the same shall have been stamped, so that a greater Duty shall have been paid for the same than is hereby required; or if any such Policy or Instrument of Insurance shall be inadvertently subscribed or underwritten by any Person or Persons for any greater Sum in the Whole than the Sum for which the same shall have been stamped, whereby the same will be unavailable in Law; and if in either of the said Cases the assured shall procure another Policy or Instrument of Insurance, duly stamped, to be subscribed or underwritten for the same Risk, and for the same Sum as shall have been subscribed or underwritten

underwritten upon the First Policy or Instrument, and shall produce the same to the Commissioners of Stamps within One Calendar Month after the last Subscription upon the First Policy or Instrument; and if in the latter Case it shall be proved to the Satisfaction of the said Commissioners that a greater Sum was subscribed or underwritten upon the First Policy or Instrument through Inadvertence and by Mistake, then it shall be lawful for the said Commissioners to allow as spoiled, and to cancel the Stamp on the First Policy or Instrument, and to give other Stamps of the same Description and Value, or otherwise at their Discretion, where it shall appear to them to be expedient, Stamps of any other Description and of equal Value in lieu thereof.

IX. And be it further enacted, That all the Monies to arise from the Duties granted by this Act shall be paid into the Hands of the Receiver General of the Duties on stamped Vellum, Parchment and Paper, who shall from time to time pay the same into the Bank of *England* for safe Custody, pursuant to the Act in that case made and provided, and shall thereafter pay the same together with the Monies arising from the other Duties under the Management of the Commissioners of Stamps (except those on Lottery Licences and Shares of Tickets) after deducting the Charges of raising, collecting and accounting for the same, and all other Charges first payable thereout into the Receipt of His Majesty's Exchequer at *Westminster*, in one Sum, at such times and in such manner as the present Stamp Duties are by the Laws in force directed to be paid; and that the Money so paid into the said Receipt shall be carried to and made Part of the said Consolidated Fund of *Great Britain*.

Duties paid to Receiver General of Stamps, who shall pay same into the Bank.

X. And be it further enacted, That the clear Monies arising from the Duties hereby granted shall go and be considered as Part of the yearly Sum of Three millions nine hundred and fifty six thousand seven hundred and ninety Pounds and Ten pence, directed to be set apart in the Exchequer, by the Act passed in the Forty eighth Year of His Majesty's Reign hereinbefore referred to, and entitled *An Act for repealing the Stamp Duties on Deeds, Law Proceedings, and other written or printed Instruments, and the Duties on Legacies and Successions to Personal Estate upon Intestacies now payable in Great Britain, and for granting new Duties in lieu thereof*; and that the yearly Sum of Thirty two thousand Pounds, Part of the yearly Sum of Forty two thousand Pounds, by the said last mentioned Act required to be paid by the Governor and Company of the Bank of *England*, as a Compensation for the Exemption of their Notes and Bills from Stamp Duty, shall be set apart at the Exchequer in addition to the said yearly Sum of Three millions nine hundred and fifty six thousand seven hundred and ninety Pounds and Ten pence; and that the Remainder of the said yearly Sum of Forty thousand Pounds shall be deemed an Addition to the public Revenue of *Great Britain*, for the Purpose of defraying the increased annual Charge occasioned by any Loan made or Stock created by virtue of any Act or Acts passed in the Forty eighth Year of His Majesty's Reign.

Appropriation of Duties.

48 G. 3. c. 149.

XI. And whereas the Bonds by Law required to be entered into by the Collectors of the Assessed Taxes and Property Tax, for securing the due Payment of the Monies collected by them were exempted from Stamp Duty by an Act passed in the Forty third Year of His Majesty's Reign; but the Exemption was not

43 G. 3. c. 99.
§ 13.

44 G. 3. c. 98.

48 G. 3. c. 149.

Unstamped Bonds
of Collectors of
Assessed Taxes,
&c.

Indemnity.

Receipts taken
by Paymasters of
Exchequer Bills
valid and exempt
from Stamp
Duties.

48 G. 3. c. 149.

In what Case
improper Stamps
for ad valorem
Duties, can-
celled, and others
given, &c.

‘ repeated in the Acts of the Forty fourth and Forty eighth Years
‘ of His Majesty’s Reign for granting new Stamp Duties, whence
‘ a Doubt hath arisen concerning the same,’ Be it therefore enacted,
That all Bonds which have been entered into before the passing of
this Act by any Collectors of the Assessed Taxes and Property Tax,
and their Sureties, for the due Payment of the Monies collected by
them, or otherwise relating to their Offices on unstamped Paper or
Parchment, shall nevertheless be deemed good and valid; and that
all Persons shall be indemnified from all Penalties and Forfeitures on
account thereof; and that all such Bonds to be entered into after the
passing of this Act shall be exempted from all Stamp Duties.

‘ XII. And whereas the Paymasters of Exchequer Bills have
‘ hitherto inadvertently taken Receipts for the Monies paid by them
‘ in discharge of such Bills on unstamped Paper, under a Misappre-
‘ hension that such Receipts were not liable to a Stamp Duty,’ Be
it therefore further enacted, That all Receipts on unstamped Paper,
taken by the Paymasters of Exchequer Bills for either Principal or
Interest Monies paid by them in discharge of any such Bills at any
time before the passing of this Act shall nevertheless be deemed good
and valid; and that all Persons who shall have given such Receipts, as
well as the said Paymasters, shall be indemnified from all Penalties and
Forfeitures on account thereof, and that from and after the passing
of this Act all Receipts or Discharges to be given for or upon the
Payment of any Principal or Interest Monies secured by Exchequer
Bills. shall be exempted from all Stamp Duties.

‘ XIII. And whereas Mistakes have been frequently made in the
‘ Use of Stamps issued for denoting the *ad valorem* Duties granted
‘ by the aforesaid Act of the Forty eighth Year of His Majesty’s
‘ Reign, and some Persons have used Stamps of much greater Value
‘ than were necessary, and others have used Stamps for Instruments
‘ not liable to a Stamp Duty, and others, without Intention of
‘ Fraud have used Stamps of less Value than were necessary, but
‘ still of considerable Value, whereby many Persons have sustained a
‘ considerable Loss, as the Commissioners of Stamps are not
‘ authorized to give Relief in such and the like Cases, but which
‘ it is expedient that they should be enabled to do under certain
‘ Restrictions;’ Be it therefore further enacted, That from and after
the passing of this Act, where any Person shall have inadvertently
used for or upon any Instrument liable to a Stamp Duty under the
said Act of the Forty eighth Year of His Majesty’s Reign, any
Stamp or Stamps of greater Value than the Instrument required by
the Sum of Fifty Shillings or upwards; and also where any Person
shall have inadvertently used any Stamp or Stamps of the Value of
Fifty Shillings or upwards, for or upon any Instrument not liable to
any Stamp Duty; and also where any Person shall have inadvertently
used for or upon any Instrument liable to a Stamp Duty under the
said Act of the Forty eighth Year of His Majesty’s Reign, any
Stamp or Stamps of the Value of Fifty Shillings or upwards (ex-
clusive of any progressive Duty), but which shall be of less Value
than the Instrument required, it shall be lawful for the Commissioners
of Stamps to allow as spoiled and to cancel the Stamp or Stamps
misused in the several Cases aforesaid, and to give another Stamp or
Stamps of the same Description and Value, or otherwise, at their
Discretion, where it shall appear to them to be expedient, Stamps of
any

any other Description and of equal Value in lieu thereof, and to cause the Instrument bearing the Stamp or Stamps misused, if liable to any Duty, to be stamped with the proper Stamp or Stamps for denoting the Duty chargeable thereon, upon Payment of such Duty, without demanding any Penalty in respect thereof; or if another Instrument of the same Tenor and Effect shall be produced duly stamped and duly executed, and the Instrument bearing the Stamp or Stamps misused shall be delivered up to be cancelled, it shall be lawful for the said Commissioners to allow as spoiled, and to cancel the Stamp or Stamps thereon, and to give another Stamp or Stamps of the same Description and Value, or otherwise, at their Discretion, where it shall appear to them to be expedient, Stamps of any other Description and of equal Value in lieu thereof: Provided always, that the Application for such Relief as aforesaid shall be made within Three Calendar Months after the passing of this Act, or within Two Calendar Months after the Date of the Instrument bearing the Stamp or Stamps misused; and provided it shall be made appear to the Satisfaction of the said Commissioners, in Cases where the Stamp or Stamps misused shall be of less Value than the Instrument required, that the same were so used by Mistake, or under a Misapprehension of the Law, and without any Intention to avoid or delay the Payment of the full Duty charged on such Instrument.

Conditions.

XIV. And be it further enacted, that from and after the passing of this Act, it shall be lawful for the Commissioners of Stamps to allow as spoiled, and to cancel, and in the manner aforesaid to give other Stamps in lieu of all such Stamps as shall have been used for or upon any Instruments which shall have been executed or signed by any of the Parties thereto, but which, by reason of any Mistake therein, shall be afterwards found unfit for the Purpose intended, or which, by reason of the Death of any Party thereto without having executed or signed the same, cannot be completed so as to effect the Transaction intended in the Form proposed, and which shall, in consequence, be cancelled and delivered up to the said Commissioners as useless, provided the Application for the Relief hereby given shall be made within Three Calendar Months after the passing of this Act or within Two Calendar Months after the Date of the Instrument in Question; and provided the Facts upon which the said Commissioners are hereby authorized to give Relief shall be fully proved by Affidavit or otherwise to their Satisfaction.

Other Stamps given for spoiled Stamps.

XV. And be it further enacted, That where the Commissioners of Stamps have already the Power of allowing and cancelling spoiled Stamps, and of giving others of the same Description and Value in lieu thereof, it shall be lawful for the said Commissioners, at their Discretion, where it shall appear to them to be expedient, to give Stamps of any other Description and of equal Value with the Stamps cancelled in lieu thereof.

Stamps of other Descriptions given.

XVI. And be it further enacted, That from and after the passing of this Act, all Instruments for or upon which any Stamp or Stamps have been or shall be used, of equal or greater Value than the Instruments required, but not of the proper Denomination, shall nevertheless be deemed valid and effectual in the Law, except in those Cases where the Stamps used on such Instruments shall have been specially appropriated to any other Instrument by having its Name on the Face thereof.

Stamps of equal Value though not of proper Denomination, valid.

48 G. 3. c. 149.
Sch. Part 1.

Certain Leases
and Tacks of
Lands exempted
from the *ad valorem*
Duties.

Act varied.

XVII. And whereas Doubts have been entertained whether the Exemption contained in the Schedule to the said Act of the Forty eighth Year of His Majesty's Reign, of certain Leases and Tacks of Lands, Hereditaments or heritable Subjects from the *ad valorem* Duties thereby granted on Conveyances upon the Sale of Property, extends to Leases and Tacks not exceeding the Term or Interest specified in such Exemption, granted in pursuance of a previous Contract or Agreement to any other Person or Persons than the Person or Persons with whom such Contract or Agreement was made, or his, her or their Heirs, Executors, Administrators or Assigns, in consideration of a Sum of Money paid or secured, or agreed to be paid to the Person or Persons with whom such Contract or Agreement was made, or his, her or their Heirs, Executors, Administrators or Assigns, for his, her or their Right or Interest, in the Property comprised in such Leases and Tacks; and some such Leases have been made and stamped as if the same did not fall within the said Exemption, whilst others have been made without Stamps for denoting the Payment of the said *ad valorem* Duties, and without regard to the Provisions of the said last mentioned Act, relating to Conveyances upon the Sale of Property, under the Supposition that the said Exemption did extend thereto; Be it therefore further enacted, That all Leases and Tacks of the Description aforesaid, which have been made or shall be made before or upon the First Day of *August* One thousand eight hundred and ten, without Payment of the said *ad valorem* Duties, shall be deemed and taken to have been within the Scope of the said Exemption at the time of the making thereof; and that all Persons shall be indemnified from all Penalties and Forfeitures in respect of the same; and that from and after the said First Day of *August* One thousand eight hundred and ten, the said Exemption shall not extend or be deemed or construed to extend to any Leases or Tacks of the Description aforesaid, which shall be made at any time after that Day.

XVIII. And be it further enacted, That this Act may be varied, altered or repealed by any Act or Acts to be made in this Session of Parliament.

C A P. XXXVI.

An Act for granting Annuities to discharge an additional Number of Exchequer Bills. [24th May 1810.]

Most Gracious Sovereign,

50 G. 3. c. 23.

WHEREAS an Act passed in this Session of Parliament, intituled, *An Act for granting Annuities to discharge certain Exchequer Bills*: and whereas it is expedient to allow a further Amount of Exchequer Bills to be exchanged upon the Terms and according to the Provisions of the said Act; We Your Majesty's most dutiful and loyal Subjects the Commons of the United Kingdom in Parliament assembled, being desirous of making Provision to satisfy the Principal Sums contained in certain other Exchequer Bills now outstanding, to the further Amount of Three hundred and eleven thousand Pounds, have resolved that all Persons interested in or entitled unto certain Exchequer Bills should be entitled in respect of the Principal Sums contained therein to such Capital Stock in Annuities as are hereinafter mentioned, subject to the

the Provisions of the said recited Act and this Act : We Your Majesty's most faithful Commons do therefore most humbly beseech Your Majesty that it may be enacted ; and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Person interested in or entitled unto any Exchequer Bill or Bills dated between the Twentieth Day of *February* One thousand eight hundred and nine, and the Sixteenth Day of *March* One thousand eight hundred and ten, bearing Interest at the Rate of Three pence One Farthing *per Centum per Diem*, who should between the Twentieth Day of *March* One thousand eight hundred and ten and the Twenty seventh Day of *March* One Thousand eight hundred and ten, both inclusive, have carried the same to the Office of the Paymasters of Exchequer Bills, unless the principal Sum of Eight Millions Sterling allowed to be exchanged by the said recited Act, and the further Principal Sum of Three hundred and eleven thousand Pounds shall have been sooner subscribed at the said Office in such Exchequer Bills, shall be respectively paid the Interest that shall have become due thereupon to the Ninth Day of *April* One thousand eight hundred and ten, in Money, as soon after the said Ninth Day of *April* One thousand eight hundred and ten as can conveniently be done, and shall have in Exchange for such Exchequer Bills from such Paymasters, Certificates to the Governor and Company of the Bank of *England*, entitling the Holders of such Exchequer Bills, in respect of the Amount of the Principal Sums contained therein, to the Sum of One hundred and three pounds Five Shillings Capital Stock in Annuities, after the Rate of Five Pounds *per Centum per Annum*, to commence from the Fifth Day of *January* One thousand eight hundred and ten, for each One hundred Pounds contained in such last-mentioned Certificates, and so in proportion for any greater Sum ; and that all Persons interested in or entitled unto such Exchequer Bills as aforesaid shall, by having delivered the same between the respective Days aforesaid into the said Office of Paymasters of Exchequer Bills, be deemed to have accepted of the aforesaid Terms ; which said Annuities shall be paid and payable at the Bank of *England*, at the times and in the manner herein mentioned : Provided always, that the Amount of the Principal Sums contained in such Exchequer Bills to be exchanged for Certificates in pursuance of this Act, shall not exceed the sum of Three hundred and eleven thousand Pounds, in addition to the Sum of Eight Millions Sterling allowed to be exchanged by the said recited Act.

Holders of certain Exchequer Bills on delivering up same shall receive Interest and Certificates entitling to certain Stock.

II. And be it further enacted, That all the Powers, Provisions, Authorities, Penalties, Forfeitures, Clauses, Matters and Things contained in the said recited Act, as to the said Exchequer Bills allowed to be exchanged by the said Act, shall apply and be put in full Force for the exchanging the Exchequer Bills allowed to be exchanged by this Act, in as full and ample a manner as if the same were in this Act severally and separately re-enacted and made Part of this Act, and the said recited Act and this Act shall be construed as One Act, as if the additional Amount of Exchequer Bills allowed to be exchanged by this Act had been included in the said recited Act.

Powers of recited Act extended to this Act.

C A P. XXXVII.

An Act for enabling His Majesty to settle an Annuity on His Serene Highness the Duke of *Brunswick Wolfenbittel*.

[24th May 1810.]

‘ Most Gracious Sovereign,

‘ **W**E Your Majesty’s most dutiful and loyal Subjects, the Com-
 ‘ mons of the United Kingdom of *Great Britain and Ireland*
 ‘ in Parliament assembled, having taken into our Consideration Your
 ‘ Majesty’s most gracious Message, wherein Your Majesty has been
 ‘ pleased to state, that, in consequence of the continued Occupation
 ‘ of the Territories of the Duke of *Brunswick Wolfenbittel* by the
 ‘ *French* Armies, since the unfortunate Events which were attended
 ‘ by the lamented Death of his illustrious Father in the Year One
 ‘ thousand eight hundred and six, His Serene Highness the present
 ‘ Duke of *Brunswick Wolfenbittel*, Your Majesty’s Nephew, has,
 ‘ after a Series of gallant but unavailing Efforts for the Recovery
 ‘ of his Possessions, been compelled to seek an Asylum in Your
 ‘ Majesty’s Dominions, Your Majesty recommended to the House of
 ‘ Commons to consider of the Means of enabling Your Majesty to
 ‘ make some Provision for the Establishment of His Serene Highness
 ‘ during such time as the State of the Continent might continue to
 ‘ preclude the Return of His Serene Highness to his own Domi-
 ‘ nions ;’ Do most humbly beseech Your Majesty that it may be
 enacted, and be it enacted by the King’s Most Excellent Majesty, by
 and with the Advice and Consent of the Lords Spiritual and Tem-
 poral, and Commons, in this present Parliament assembled, and by
 the Authority of the same, That it shall be lawful for the King’s
 Most Excellent Majesty by any Warrant under His Royal Sign
 Manual, to give and grant unto His Serene Highness the Duke of
Brunswick Wolfenbittel, an Annuity not exceeding Seven thousand
 Pounds of lawful Money of *Great Britain* ; which said Annuity
 may commence and take Effect from the First Day of *January* One
 thousand eight hundred and ten, and shall be paid quarterly at the
 Four usual Days of Payment in the Year ; that is to say, the Fifth
 Day of *April*, the Fifth Day of *July*, the Tenth Day of *October*,
 and the Fifth Day of *January*, in every Year, until the State of
 the Continent of *Europe* shall allow the Return of His Serene High-
 ness to his own Dominions ; and that the said Annuity shall and may
 by such Warrant be directed to be issuing and payable out of,
 and charged and chargeable upon the Consolidated fund of *Great*
Britain, after paying or reserving sufficient to pay all such Sum
 and Sums of Money as hath or have been directed to be paid out of
 the same by any former Act or Acts of Parliament, but with Prefer-
 ence to all other Payments which shall or may hereafter be charged
 upon and payable out of the said Fund.

Annuity of
7,000l. to the
Duke of Brun-
swick Wolfenbut-
tel, payable
Quarterly out of
Consolidated
Fund.

Payable at Ex-
chequer.
Debentures.
No Fee.

II. And be it further enacted, That the said Annuity shall be
 paid and payable at the Receipt of His Majesty’s Exchequer out-
 of the said Fund, and the Auditor of the said Receipt shall, and he is
 hereby required by virtue of such Warrant to make forth and pass
 Debentures from time to time for paying the said Annuity as the
 same shall become due and payable, without any Fees or Charges to be
 demanded or taken for paying the same or any Part thereof ; and
 the Acquittance or Acquittances, Receipt or Receipts of the said
 Duke

Duke of *Brunswick Wolfenbuttel*, or of such other Person or Persons as shall by the said Duke be duly authorized and appointed to receive such Annuity or any Part thereof, shall be a good and sufficient Discharge for the Payment thereof; and the said Debentures to be made forth and passed upon the said Warrant shall be a sufficient Authority to the several and respective Officers of the Receipt of the Exchequer now and for the time being, for the Payment of such Annuity to the said Duke during the Continuance of the same, without any further or other Warrant to be sued for, had or obtained in that Behalf; and that the said Annuity so to be given and granted shall be free and clear from all Taxes, Rates and Assessments, and all other Charges whatsoever.

C A P. XXXVIII.

An Act to extend the Provisions of an Act passed in the Forty eighth Year of His present Majesty's Reign, intituled, *An Act to permit certain Goods imported into Ireland to be warehoused or secured without the Duties due on the Importation thereof being first paid*, and to amend the same. [2d June 1810.]

‘ **W**HEREAS it is expedient to amend certain Provisions con- 48 G. 3. c. 32.
‘ tained in an Act made in the Forty eighth Year of His § 7.
‘ present Majesty's Reign, intituled, *An Act to permit certain Goods*
‘ *imported into Ireland, to be warehoused or secured without the Duties*
‘ *due on the Importation thereof being first paid*: And whereas it is,
‘ among other Things, enacted by the said Act, that no Goods,
‘ Wares or Merchandize which shall have been lodged in any Ware-
‘ house or Warehouses, or otherwise secured according to the
‘ Directions of the said Act, shall be delivered from or taken out of
‘ any such Warehouse or Place except for Exportation, or to be
‘ used or consumed in *Ireland*: And whereas it may be expedient
‘ in certain Cases to permit Goods, Wares and Merchandize to be
‘ taken from the Port or Place where they were first warehoused or
‘ secured, for the Purpose of being transferred or conveyed to some
‘ other Port or Place in *Ireland*, there to be warehoused or secured
‘ under the Provisions of the said recited Act:’ Be it therefore
enacted by the King's Most Excellent Majesty, by and with the
Advice and Consent of the Lords Spiritual and Temporal, and
Commons, in this present Parliament assembled and by the Authority
of the same, That from and after the passing of this Act, it shall and
may be lawful for any Person who shall have imported any Goods,
Wares or Merchandize into *Ireland*, and who shall have lodged the
same in Warehouse, or otherwise secured the same, at any Port in
Ireland, under the Provisions of the said recited Act, or of any Act
for altering or amending the same, to remove such Goods, Wares
and Merchandize, or any Part thereof, out of such Warehouse or
Place, for the Purpose of sending and transferring the same Coast-
ways, to be warehoused or secured without Payment of Duty in any
other Port in *Ireland*, in which such Goods are allowed to be ware-
housed or secured by the Provisions of the said recited Act, under
the Regulations and Provisions hereinafter mentioned, directed and
contained; any thing in the said recited Act to the contrary not-
withstanding.

Removing
Goods Coast-
ways secured in
Warehouse under
recited Act.

II. Provided

Master of Vessel
to take out Coast
Cocket.

First Importer to
enter into Bond
for Delivery of
Goods, &c.

Penalty.

Importer of
Goods removed
to enter into
Bond, to export
Goods, or to pay
Duty.

Not clearing
Goods.

II. Provided always, and be it enacted, That whenever any such Goods, Wares or Merchandize shall be entered to be shipped at any Port in *Ireland* for the Purpose of being sent and transferred as aforesaid to any other Port in *Ireland*, there to be warehoused or secured, the Master or other Person who shall have the Charge of the Ship or Vessel on board which any such Goods, Wares or Merchandize shall be laden in any Port of *Ireland*, to be landed and discharged in some other Port thereof, shall, before the Ship or Vessel be permitted to depart from the Port or Place where he shall take in his Lading, take out a Coast Cocket, Certificate, Letpafs or Transire, as the case may require; and the first Importer, Proprietor or Consignee of such Goods, Wares and Merchandize shall enter into a Bond with Two sufficient Sureties to His Majesty, his Heirs and Successors, in a Sum equal to the Value of the actual Quantity of such Goods, Wares or Merchandize so laden or taken on board such Ship or Vessel, conditioned for the Delivery or Discharge thereof, in the Port or Place for which the same shall be entered as aforesaid, and also conditioned to return a Certificate within Two Calendar Months after the Date of such Cocket, Certificate, Letpafs or Transire, under the Hand and Seal of the proper Officer of the Port where such Goods, Wares or Merchandize shall be landed and warehoused or secured, to the Collector or other Chief Officer of the Port in which such Goods, Wares or Merchandize shall have been put on board, that such Goods, Wares and Merchandize were landed and warehoused or secured at the Port for which the same shall have been entered, and that Bond was duly given upon the warehousing of such Goods at such Port in manner hereinafter directed; and in case any such Master or other Person shall omit or neglect to take out such Cocket, Certificate, Letpafs or Transire, such Master or other Person so neglecting or omitting shall, for every such Offence, forfeit the Sum of One hundred Pounds.

III. Provided also, and be it further enacted, That every Importer, Proprietor or Consignee of any Goods Wares or Merchandize which may be carried or transferred from one Port in *Ireland*, and which may be landed under this Act at any other Port in *Ireland*, and warehoused or secured there without Payment of Duty at the time of the Entry thereof at such Port to which the same may have been transferred, shall enter into Bond to His Majesty, his Heirs and Successors, in Double the Amount of the full Duties due and payable on the Importation of such Goods, Wares and Merchandize with Condition that such Goods, Wares and Merchandize shall be duly exported, or that the full Duties due and payable on such Goods, Wares and Merchandize, shall be duly paid within the Space of Twelve Months from the Date of the First Entry of such Goods Wares or Merchandize, at the Port where such Goods, Wares or Merchandize were first entered and warehoused or secured, or within the time required by Law from the first Entry as aforesaid, as to such Goods as may be warehoused in *Ireland* under any Act or Acts other than the said recited Act of the Forty eighth Year aforesaid; and the said Bond shall be so entered into within Forty eight Hours after the Port Surveyor and Landwaiter or other proper Officer shall have ascertained the Quantity and Quality of the Goods, Wares and Merchandize so to be bonded; and in case the Importer, Proprietor or Consignee of such Goods, Wares and Merchandize shall

shall neglect to clear and take such Goods, Wares and Merchandize, out of and from any Warehouses and Places in which the same shall have been warehoused and secured within the time required by Law, to be computed from the Day of the first Entry thereof, at the Port where the same were first entered and warehoused or secured, such Goods, Wares and Merchandize shall be sold, and the Produce thereof applied in manner directed by the said recited Act of the Forty eighth Year aforesaid, with respect to Goods warehoused or secured under the said recited Act. Sold.

IV. And be it further enacted, That upon Production of a Certificate under the Hand and Seal of the proper Officer of the Port to which any such Goods, Wares or Merchandize shall have been transferred, and there landed and warehoused or secured in manner directed by this Act, that such Goods, Wares and Merchandize were duly landed and secured there, and that Bond was entered into accordingly, pursuant to the Directions of this Act (which Certificate such Officer is hereby required and authorized to grant without Fee or Reward) it shall be lawful for the proper Officer at the Port in which such Goods, Wares or Merchandize shall have been first warehoused, to vacate the Bond given at such Port on the first landing and warehousing or securing of such Goods, Wares and Merchandize, by Indorsement thereon, so far as relates to the actual Quantity of such Goods, Wares and Merchandize, which shall have been carried and transferred from the said Port, and which by any such Certificate shall appear to have arrived at any such other Port in *Ireland*, and to have been there warehoused under the Directions and Provisions in this Act contained. In what Case first Bond vacated.

V. And be it further enacted, That from and after the passing of this Act, it shall and may be lawful for any original Importer, Proprietor or Consignee, of any White, or Clayed, or Brown, or Muscovado Sugar, not refined, of the Growth or Produce of any Country, Island or Place conquered by or ceded to, or which shall hereafter be conquered by or ceded to His Majesty's Arms; or of any Foreign or Bay Salt, to warehouse and secure all such Sugar and Salt, under the Regulations and Provisions for warehousing contained in the said recited Act of the Forty eighth Year, without the Duties due on the Importation of such Sugar and Salt being first paid; and to export and deliver for Exportation such Sugar and Salt without Payment of Duty, according to the Provisions of the said recited Act, any thing in any Act or Acts in force in *Ireland* to the contrary notwithstanding; and all such Sugar and such Salt shall be deemed and taken to be warehoused under the Provisions of the said Act, and to be entitled to all the Benefits of the said Act, as fully to all Intents and Purposes as if such Sugar and such Salt had been specially named and included in Schedule (A) to the said Act annexed. Unrefined Sugar of conquered or ceded Place, Foreign or Bay Salt warehoused under 48 G. 3. c. 32.

VI. And be it further enacted, That from and after the Expiration of Ten Days after the Day of the passing of this Act, upon the Exportation from *Ireland*, except to *Great Britain*, of any Foreign or Bay Salt which shall not have been warehoused in *Ireland*, there shall be paid and allowed a Drawback of all the Duties which shall have been paid on the Importation of the same, and that the said Drawbacks shall be paid and allowed in like manner, and under the like Regulations as other Drawbacks are paid and allowed, under or by In what Case on Exportation of Foreign or Bay Salt Drawback.

by virtue of any Act or Acts in force in *Ireland*, and that all Salt on which such Drawback shall be claimed shall be exported subject to the Regulations and Provisions contained in the said recited Act of the Forty eighth Year aforesaid, or in any other Act or Acts in force in *Ireland*, relating to the Exportation of Salt from *Ireland*.

Act altered, &c.

VI. And be it further enacted, That this Act may be altered, amended or repealed, by any Act or Acts to be passed in this Session of Parliament.

C A P. XXXIX.

An Act for repaying, in certain Cases, the Duty paid on the Export of Foreign Plain Linen. [2d June 1810.]

50 G. 3. c. 26.

In what Case
Duty on Foreign
Linen ware-
housed repaid.

‘ WHEREAS it is expedient that in certain Cases the Duties paid on Foreign Plain Linen by virtue of an Act passed in the present Session of Parliament, intituled, *An Act for granting a Duty on Foreign Plain Linen taken out of Warehouse and exported to Foreign Parts*, should be repaid;’ Be it therefore enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in all Cases where any Duty has been or shall be paid, or any Bond has been or shall be entered into for Payment of any Duty imposed by the said Act, upon any Foreign Plain Linen that was secured in Warehouses, as therein described, on or before the Eighteenth Day of *April* One thousand eight hundred and ten, and which Linen has been or shall be delivered from any such Warehouse for the Purpose of being exported to Foreign Parts, on or before the Fifteenth Day of *September* One thousand eight hundred and ten, it shall and may be lawful for the Commissioners of His Majesty’s Customs in *England* and *Scotland* respectively, and they are hereby authorized and required, upon due Proof thereof, to cause Repayment to be made of such Duty so paid, and to cause such Bonds so entered into to be cancelled; any thing in the said Act to the contrary notwithstanding.

C A P. XL.

An Act for discontinuing the Bounty on Exportation of Oil of Vitriol, and allowing a Drawback of a Proportion of the Duties paid on the Importation of Foreign Brimstone used in making Oil of Vitriol. [2d June 1810.]

46 G. 3. c. 99.

‘ WHEREAS it is expedient that the Bounty now payable on the Exportation of Oil of Vitriol made in *Great Britain* should be discontinued, and that a Proportion of the Duties now payable and paid upon the Importation of Foreign Brimstone into *Great Britain* should be drawn back upon Brimstone used and consumed in making Oil of Vitriol, and repaid to the Manufacturers of such Oil made under certain Regulations and Restrictions;’ Be it therefore enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, an Act passed in the Forty sixth Year of the Reign

Reign of His present Majesty, intituled, *An Act for allowing a Bounty on the Exportation of Oil of Vitriol made in Great Britain*, shall be repealed. repealed.

II. And be it further enacted, That from and after the passing of this Act, Nine Tenth Parts of the Duties of Customs paid on the Importation into *Great Britain*, of Brimstone, shall be allowed in respect of such Brimstone used and consumed in making and preparing Oil of Vitriol, and the Amount of such Drawback shall be paid and allowed to the Manufacturer of such Oil in *Great Britain*, under the following Regulations; (that is to say,) every Manufacturer of Oil of Vitriol intending to claim any such Drawback or Repayment under this Act shall make an Entry of his Name and Place of Abode with the Collector of the Customs of the Port within or nearest to which his Work shall be carried on, and shall Once in every Month enter in a Book to be kept for that Purpose an Account of the whole Quantity of Foreign Brimstone used and consumed in his Manufactory within the preceding Month, and at the End of the Year to be computed from the Date of such Entry as aforesaid, shall deliver the said Account to the Collector of the Customs with whom he shall have made such Entry as aforesaid.

Allowance of
Duty for
Brimstone used
in preparing
Oil of Vitriol.
Regulations for
Manufacturer.

III. And be it further enacted, That every such Manufacturer shall make Oath to the Truth of the Account so delivered to the Collector of the Customs under this Act, in which Oath he shall depose that full Nine Tenths of such Brimstone has been consumed in the manufacturing of Oil of Vitriol, and that the Residuum does not contain a Quantity of Brimstone worth Extraction, and that such Quantity does not at the utmost exceed One Tenth of the whole Brimstone used in such Manufacture; and he shall also specify in such Account the Name or Names of the Importer or Importers of such Brimstone, and the Times when the Duties due thereon were respectively paid to His Majesty; and if upon a Certificate being produced from the proper Officers of the Customs in *Great Britain* where such Brimstone was so imported, it shall appear that the full Duties were paid thereon, and if sufficient Proof be also made before the proper Officers of the Customs, that the Brimstone mentioned and referred to in such Certificate is the identical Brimstone so stated to have been used and consumed by the Manufacturer of such Oil of Vitriol, then, and in every such Case, a Debenture shall be issued for the Amount of the Drawback by this Act allowed upon such Brimstone; and the same shall be paid by the Collector of the Customs who shall have received such Account as aforesaid, out of any Money remaining in his Hands on account of the Duties of Customs.

Oath as to Quan-
tity of Brimstone
used, &c.

IV. And be it further enacted, That if any Manufacturer of Oil of Vitriol shall deliver any false Account of the Quantity of Foreign Brimstone used and consumed in making and preparing Oil of Vitriol with an Intent to defraud His Majesty, his Heirs or Successors, every such Manufacturer shall, on being convicted of any such first Offence, forfeit the Sum of Two hundred Pounds, and for every Second or further Offence the Sum of Four hundred Pounds, to be sued for within Three Months after the Delivery of the Account, and recovered in any of the Courts of Record at *Westminster*, or in the Court of Exchequer at *Edinburgh*, and One Moiety of such Penalty shall go and be applied to the Use of His Majesty, his Heirs and Successors, and the other Moiety to him or them who shall sue or prosecute for the same.

Delivering false
Account.

First Offence.
Further Offence.

C A P. XLI.

An Act for placing the Duties of Hawkers and Pedlars under the Management of the Commissioners of Hackney Coaches.

[2d June 1810.]

WHEREAS it is expedient that the Powers and Provisions contained in any Acts of Parliament relating to the Duties upon Hawkers and Pedlars should be brought together into one Act, and that the said Duties should be placed under the Management of the Commissioners of Hackney Coaches; Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *August* One thousand eight hundred and ten, an Act passed in a Parliament holden in the Ninth and Tenth Years of His late Majesty King William, intituled, *An Act for licensing Hawkers and Pedlars, for a further Provision for the Payment of the Interest of the Transport Debt for the reducing of Ireland*; and all Acts made for continuing, altering or regulating the Duties thereby imposed, as far only as the said Acts relate to such Continuance, Alteration or Regulation, and all Powers, Provisions and Clauses contained in any Act or Acts of Parliament relating to the Collection of the same Duties, shall be repealed, except such of the said Powers, Provisions and Clauses, as may be necessary to be kept in force, for the Recovery of any Arrears of the said Duties hereby repealed, or any Penalties incurred under any of the Acts hereby repealed: Provided always, that nothing herein contained shall be construed to revive any Act or Provision which had been repealed by any of the Acts or Provisions repealed by this Act, and which were not in force at the time of passing this Act, but the same shall continue repealed notwithstanding any thing contained in this Act. [See §. 31, *post*.]

9 & 10 W. 3.
c. 27. and all Acts
relating to the
Duties thereby
imposed, &c. re-
pealed.

Licences in force.

II. And be it further enacted, That all Licences granted under any former Act to Hawkers and Pedlars, by the Commissioners of Hawkers and Pedlars, and in force immediately before the passing of this Act, shall continue in force until the First Day of *September* One thousand eight hundred and ten; and that all future Licences which shall be granted under and by virtue of this Act, shall continue in force until the First Day of *August* next following the Dates of such Licences respectively.

Commission for
licensing to cease.

III. And be it further enacted, that from and after the said First Day of *August*, the Commission by which Commissioners are appointed for licensing Hawkers, Pedlars and Petty Chapmen, shall cease and determine.

Allowances to
Commissioners,
&c. of Hackney
Coaches.
Pensions to Com-
missioners for li-
censing Hawk-
ers.

IV. And be it further enacted, That it shall be lawful for the Lord High Treasurer or the Commissioners of His Majesty's Treasury for the time being, or any Three or more of them, out of the Monies raised by this Act, to pay to the said Commissioners for licensing and regulating Hackney Coaches, their Clerks or any other Persons, such Sums of Money as they or any of them shall or may reasonably deserve for their Service, or shall or may have expended in the Execution of or in relation to this Act: Provided always, that the Lord High Treasurer, or the Commissioners of the Treasury for the time being, or any Three or more of them, shall have Power to grant such Pensions by way of Compensation to the Commis-

oners and other Persons who shall be employed in the Office for granting Licences to Hawkers, Pedlars and Petty Chapmen, at the time of the passing of this Act, as to them shall seem fit, so as that the same shall not in any Case exceed the Amount of the Salary which any such Commissioners, or any such other Person shall be entitled to in respect of his or her Situation in the said Office.

V. And be it further enacted, That nothing herein contained shall extend or be construed to extend to hinder any Person or Persons from selling or exposing to Sale any Sorts of Goods or Merchandize in any Publick Mart, Market or Fair, legally established within the Kingdom of *England*, Dominion of *Wales* and Town of *Berwick upon Tweed*, but such Person or Persons may do therein as they lawfully might have done before the making of this Act; any thing herein contained to the contrary notwithstanding.

Goods may be exposed to Sale in Publick Markets.

VI. And be it enacted, That from and after the said First Day of *August* there shall be raised, answered and paid to and for the Use of His Majesty, his Heirs and Successors, the Rates and Duties following, that is to say, by every Hawker, Pedlar, Petty Chapman, and every other trading Person and Persons going from Town to Town, or to other Men's Houses, and travelling either on Foot, or with Horse, Horses, or otherwise, in *England*, *Wales* or the Town of *Berwick upon Tweed*, carrying to sell, or exposing to Sale, any Goods, Wares or Merchandize, a Duty of Four Pounds for each Year; and every Person so travelling with a Horse, Ass or Mule or other Beast (a), bearing or drawing Burthen, the Sum of Four Pounds yearly for each Beast he or she shall so travel with, over and above the said first mentioned Duty of Four Pounds. (a) [See the Case of *Rex v. Robotham*, 3 Burr. p. 1472, mentioned in Note to 9 and 10 W. 3. c. 27. § 1.]

Duty for Licences.

VII. And be it further enacted, That from and after the said First Day of *August* it shall not be lawful for any Hawker, Pedlar, Petty Chapman or any other trading Person or Persons going from Town to Town, or to other Men's Houses, and travelling either on Foot or with Horse or Horses, either by opening a Room or Shop, and exposing to Sale any Goods, Wares or Merchandize by Retail in any Town, Parish or Place, such Person not being a Householder there, or the same not being an usual Place of his or her Abode, or by any other Means or Device to vend or sell, either by himself or herself, or by any Auctioneer, whether licensed or not, Broker, Appraiser, Agent, Servant or other Person on his or her Behalf, any Goods, Wares or Merchandize whatsoever, by Outcry, Knocking down of Hammer, Candle, Lot, Parcel or any other Mode of Sale at Auction, or whereby the best or highest Bidder is or shall be deemed to be the Purchaser; and that every Person and Persons so vending or selling contrary to such Prohibition as last aforesaid shall forfeit and pay for every Offence the Sum of Fifty Pounds, to be recovered and applied as hereinafter mentioned.

Hawkers (not being Residents) selling by Auction.

Penalty.

VIII. And be it further enacted, That the Duties by this Act imposed shall be under the Management of the Commissioners for the time being for licensing and regulating Hackney Coaches, who shall have Power to employ such additional Clerks and Officers as may be required for collecting, recovering, paying and accounting for the said Duties, and shall themselves receive such additional Allowances

Duties under Commissioners for licensing Hackney Coaches.

out of the said Duties so collected by them, as shall be approved by the Lords Commissioners of the Treasury.

Licence annually.

IX. And be it further enacted, That every Hawker, Pedlar and Petty Chapman subject to the Duties hereby imposed, shall annually take out a Licence in the manner hereinafter mentioned, which Licence shall continue in force for such time and times as are hereinbefore respectively provided in that Behalf.

The Duties to be paid on receiving Licence.

X. And be it further enacted, That from and after the said First Day of *August*, every Hawker, Pedlar, Petty Chapman and other trading Person or Persons so travelling as aforesaid, shall, at the time of receiving his or her Licence as hereafter mentioned, and without any Discount whatsoever, pay all Duties granted or made payable by, or imposed upon him or her respectively, to the Commissioners for the time being for licensing and regulating Hackney Coaches, or some Person or Persons in that Behalf authorized or deputed by them, or the major Part of them, in Writing under their Hands and Seals, and upon Payment thereof, and not otherwise, a Licence shall be granted to such Person, subscribed by the said Commissioners for the time being, or any One of them, for him or her to travel and trade according to the true Intent and Meaning of this Act, and according to the Duties which shall then be paid upon receiving such Licence.

Proviso for Persons already authorized to grant Licences.

XI. Provided always, and be it further enacted, That any Person duly authorized and deputed by the present Commissioners to grant Licences in any Place within the Limits of *England* and *Wales*, and the Town of *Berwick upon Tweed*, except the Cities of *London* and *Westminster*, and having Authority for that Purpose at the time of passing this Act, shall have Power to grant Licences under the Provisions of this Act, as if they had been duly authorized and deputed under this Act by the Commissioners of Hackney Coaches, until such last mentioned Commissioners shall think fit to annul their Authority.

Hawkers to produce Certificate of Character.

XII. And be it enacted, That before any Person or Persons shall receive any Licence to trade or travel as aforesaid, every such Person or Persons shall produce to the Commissioner or Commissioners for licensing and regulating Hackney Coaches, or their Deputy or Deputies appointed for licensing Hawkers, Pedlars, Petty Chapmen and other trading Persons as aforesaid, a Certificate, signed by some one Clergyman officiating within the Parish, Chapelry or Place, wherein such Person so applying for such Licence has his usual Residence, and also by Two reputable Inhabitants of the said Parish, Chapelry or Place, attesting that the Person so applying is of good Character and Reputation, and is a fit Person to be licensed to exercise the Trade of a Hawker, Pedlar and Petty Chapman.

XIII. And be it further enacted, That the Certificate so to be produced as aforesaid, shall be in the Form, or to the Effect following:

Form of Certificate.

WE *A. B.* the Minister, and *C. D.* and *E. F.* being two Householders, residing at in the Parish, Chapelry, or otherwise, [*as the Case may be*], of in the County of, do hereby certify, that *G. H.* hath been known to us for the Space of Years last past, and during all that Time hath usually resided in the said Parish, Chapelry, or otherwise, [*as the Case may be*], of

of , and is a Person of good Character and Reputation,
and is a fit Person to be licensed to exercise the Trade of a
Hawker, Pedlar and Petty Chapman. Dated the Day of

A. B. Minister.

C. D. }
E. F. } Householders.

XIV. And be it further enacted, That every Person to whom any such Licence as aforesaid shall be granted, under or by virtue of this Act, and who shall trade with or under Colour of such Licence, shall cause to be written, painted or printed in large legible Roman Capitals, upon the most conspicuous Part of every Pack, Box, Bag, Trunk, Case, Cart or Waggon, or other Vehicle or Conveyance, in which he or she shall carry his or her Goods, Wares and Merchandize, and of every Room and Shop in which he or she shall so trade; and likewise upon every Hand Bill or Advertisement which he or she shall give out, distribute or publish, the Words, 'Licensed Hawker,' together with the Number, Name or other Mark or Marks of Distinction so written or printed upon his or her Licence as aforesaid; and that every such Person in any Respect making Default herein shall forfeit for every Offence the Sum of Ten Pounds.

Packages of
Hawker to have
the Words
'Licensed
Hawker,' &c.

Penalty.

XV. And be it further enacted, That if at any Time from and after the said First Day of *August*, any Person other than to whom such Licence shall have been so granted as aforesaid, shall write, paint or print, or cause to be written, painted or printed, or kept or continue written, painted or printed upon any Pack, Bag, Box, Trunk, Case, Cart, Waggon, or other Vehicle or Conveyance for any Goods, Wares or Merchandize, or in any Room or Shop in which he or she shall sell or expose to Sale or keep for Sale any Goods, Wares or Merchandize, the Words Licensed Hawker or Licensed Pedlar, or any other Word or Words to that Effect, every Person offending therein shall forfeit for each Offence the Sum of Ten Pounds.

Persons not li-
censed using
such Words

Penalty.

XVI. And be it further enacted, That if any Hawker, Pedlar, Petty Chapman or other trading Person as aforesaid, shall, from and after the said First Day of *August*, be convicted of knowingly dealing in, vending or selling any Kind of smuggled, contraband or prohibited Goods, Wares or Merchandize, or knowingly dealing in, vending or selling any Goods, Wares or Merchandize, fraudulently or dishonestly procured either by themselves or through the Medium of others, with their Privity and Knowledge, every such Hawker, Pedlar, Petty Chapman or trading Person, shall, from and after such Conviction, forfeit his or her Licence, and for ever thereafter be incapable of obtaining or holding any new Licence, or dealing, trafficking or trading under the same, and that over and above all such Forfeitures and Incapacities, Fines and Penalties to which he or she is or shall be by Law subject and liable, for such illicit and illegal trafficking and dealing.

Hawkers dealing
in smuggled
Goods.

Penalty.

XVII. And be it further enacted, That if any such Hawker, Pedlar or Petty Chapman, or other trading Person so travelling as aforesaid, shall, from and after the said First Day of *August*, trade as aforesaid without, or contrary to, or otherwise than as shall be allowed by such Licence, such Person shall, for each and every such Offence, forfeit the Sum of Ten Pounds, to be recovered and applied as hereinafter mentioned; and that if any Person trading

Trading contrary
to Licence.

Penalty.

under or by virtue of any Licence to him or her granted as aforesaid, upon Demand made by any Person or Persons authorized or appointed to demand any such Licence by the Commissioners for licensing Hawkers, Pedlars and Petty Chapmen for the time being, or any Two of them, under their Hands and Seals, and upon producing or shewing such Authority or Appointment to such Person so trading as last aforesaid, or upon Demand made by any Justice of the Peace, Mayor, Constable or other Officer of the Peace of any County, Riding, Division, Town Corporate, Borough or Place where he or she shall so trade, or by any Officer of the Customs or Excise, or by any Person to whom such Hawker, Pedlar or Petty Chapman shall offer any Goods to Sale, shall refuse to produce and shew his or her Licence for so trading as aforesaid, or shall not have his or her Licence ready to produce and shew unto such Person authorized or appointed as last aforesaid, or unto such Justice of the Peace, Mayor, Constable or other Officer of the Customs or Excise, that then the Person so refusing or not having his or her Licence ready to produce and shew as aforesaid, shall forfeit Ten Pounds, to be recovered and applied as hereinafter mentioned, and for Non-payment thereof shall suffer as a common Vagrant, and be committed to the House of Correction.

Penalty.

Imprisonment.

Forging or using
forged Licence.

XVIII. And be it further enacted, That if any Person or Persons whatsoever, shall forge or counterfeit any Licence or Licences by this Act directed to be granted, or travel with, or produce or shew any such forged or counterfeited Licence or Licences, for any of the Purposes aforesaid, every such Person shall, for every such Offence, forfeit the Sum of Three hundred Pounds to be recovered and applied as hereinafter directed.

Penalty.

Hiring or lending
Licence.

XIX. And be it further enacted, That in case any Person shall let out, or hire or lend any Licence to him or her granted as aforesaid, or shall trade with or under colour of any Licence granted unto any Person whatsoever, or of any Licence in which his or her own real Name shall not be inserted as the Name of the Person to whom the same is granted, the Person letting out to hire or lending any such Licence, and the Person so trading with or under colour of any Licence granted to any other Person, or any Licence in which his or her own real Name shall not be inserted, as the Name of the Person to whom the same is granted, shall each of them forfeit the Sum of Forty Pounds, to be recovered and applied as hereinafter mentioned; and in case any Person shall be convicted or have Judgment against him for lending his or her Licence to any other Person or Persons contrary to this Act, such his or her Licence shall be from henceforth forfeited and void, and he or she shall be utterly incapable of having any Licence again granted to him or her to trade as aforesaid; Provided always, that nothing herein contained shall subject to the said Penalty any Servant travelling for a licensed Master, with the Licence of such Master, and for his Benefit; or any licensed Master sending such Servant to travel with such Licence.

Penalty.

Persons trading
without Licence,
or refusing to
produce it, how
dealt with.

XX. And be it further enacted, That it shall be lawful for any Person or Persons whatsoever to seize and detain any such Hawker, Pedlar, Petty Chapman or other trading Person as aforesaid, who shall be found trading without a Licence contrary to this Act, or who being found trading shall refuse or neglect to produce to such Person or Persons a Licence according to this Act, after being required

required so to do for a reasonable time, in order to give Notice to a Constable, Headborough, Tithingman or other Peace Officer or Officers, who are hereby required to carry such Persons so seized, unless they shall in the mean time produce their respective Licences before some one of his Majesty's Justices of the Peace of the County or Place where such Offence or Offences shall be committed, which said Justice of the Peace is hereby authorized and strictly required to examine into the Fact or Facts charged; and upon the Proof, either by Confession of the Party offending, or by the Oath of One or more credible Witness or Witnesses (which the said Justice is hereby empowered to administer), that the Person so brought before him had so traded as aforesaid, and no such Licence being produced by such Offender before the said Justice, to convict the Offender so trading without a Licence, and thereupon it shall be lawful for such Justice, and he is hereby required by Warrant under his Hand and Seal to cause the said Sum of Forty Pounds to be levied by Distress and Sale of the Goods, Wares or Merchandize of such Offender or Offenders, or of the Goods (a) which such Offender or Offenders shall be found trading as aforesaid, rendering the Overplus, if any be, to the Owner or Owners thereof, after deducting the reasonable Charges for making such Distress, and out of the said Sale to pay the said respective Penalties and Forfeitures aforesaid, and in the mean time to commit such Offender to the Common Gaol or House of Correction for the County, Riding, Division, City, Liberty, Town or Place where the said Offence shall be committed, there to remain until the said Penalties and Forfeitures, and the reasonable Charges of taking the said Distress, shall be levied by such Distress and Sale as aforesaid, or until the same shall be otherwise paid or satisfied by such Offender: (a) [Query "with which."]

Trading without Licence.

Distress.

Imprisonment.

XXI. And be it further enacted, That if any Constable, Headborough or Tithingman, or other Officer or Officers of the Peace shall refuse or neglect upon due Notice, or on his or their own View to be aiding and assisting in the Execution of this Act, being thereunto required, and each and every such Officer or Officers being thereof convicted upon his Confession, or by the Oath of One or more credible Witness or Witnesses before any Justice of the Peace for the County or Place where the Offence shall be committed, shall forfeit for each and every such Offence the Sum of Ten Pounds, to be recovered and applied as hereafter mentioned.

Constables refusing to assist.

Penalty.

XXII. And be it further enacted, That it shall be lawful for any Person or Persons who on the First Day of May was or were duly licensed to trade as Hawkers and Pedlars, to set up, occupy, use or exercise any Craft, Mystery or Occupation, used or occupied within this Realm in any Place where they shall be resident Inhabitants, although they shall not have been brought up in such Craft, Mystery or Occupation Seven Year as Apprentices; and also to set any Person to work in such Craft, Mystery or Occupation, although such Person shall not have been Apprentice therein as aforesaid, any Penalty, Matter or Thing contained in an Act passed in the Fifth Year of the Reign of Queen Elizabeth, intituled, *An Act containing divers Orders for Artificers, Labourers, Servants of Husbandry and Apprentices*, to the contrary notwithstanding; and that if any such Person or their Wives or Children shall be prosecuted for using or exercising

Hawkers duly licensed, may set up Trade in Place of Residence.

5 Eliz. c. 4.

General Issue.

Double Costs.

Proviso for cer-
tain Trades, &c.Yeast. 10 B. &
C. 74in the same house
10 B. & C. 66.Penalties above
20l. where to be
recovered.Penalties under
20l. how to be
recovered.

exercising any such Craft, Mystery or Occupation in any City, Town, or Place, and shall make it appear that they had such Licence as aforesaid, they shall, upon the General Issue pleaded, be found Not Guilty, in any Action, Bill, Complaint, Information or Indictment for such Cause exhibited against him, and in all Cases where Costs are allowed, such Person so acquitted shall be entitled to and shall receive double Costs; and that no such Persons, their Wives or Children, during the time they shall use and exercise such Craft, Mystery or Occupation in any Parish or Place, shall be removeable therefrom to his, her or their last legal Place of Settlement, until such Person or Persons shall become actually chargeable to such Parish or Place, any Law not (a) in being relative to the Settlement of the Poor, to the contrary thereof notwithstanding. (a) [*Query "now in being."*]

XXIII. Provided always, and it is hereby enacted, That nothing in this Act shall extend to prohibit any Person or Persons from selling any printed Papers licensed by Authority, or any Fish, Fruit or Victuals, nor to hinder the real Worker or Workers, or Maker or Makers of any Goods, Wares or Manufactures of *Great Britain*, or his, her or their Children, Apprentices or known Agents or Servants, usually residing with such real Workers or Makers only, from carrying abroad or exposing to Sale, and selling by retail or otherwise, any of the said Goods, Wares or Manufactures, of his, her or their own making, in any Mart, Market or Fair, and in every City, Borough, Town Corporate and Market Town, nor any Tinkers, Coopers, Glaziers, Plumbers, Harness Menders, or other Persons usually trading in mending Kettles, Tubs, Household Goods or Harness whatsoever, from going about and carrying with him or them proper Materials for mending the same.

XXIV. And be it further enacted, That all pecuniary Penalties which shall be incurred under this Act of a greater Sum than Twenty Pounds, shall be recovered, together with Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Complaint or Information, wherein no Essoign, Protection, Privilege or Wager of Law, or more than One Imparance shall be allowed; and One Moiety of every such Penalty or Forfeiture shall belong to His Majesty, his Heirs and Successors, and the other Moiety thereof to the Person or Persons who shall inform or sue for the same.

XXV. And be it further enacted, That in all Cases where the pecuniary Penalty by this Act imposed does not exceed the Sum of Twenty Pounds, it shall be recoverable before One of His Majesty's Justices of the Peace of the County, Riding, Shire, Division, City, Liberty, Town or Place, wherein the Offence shall be committed, on Proof of the Offence, either by voluntary Confession of the Party or Parties accused, or by the Oath of One or more credible Witnesses or Witnesses, and one Moiety of every such last mentioned Penalty shall belong to His Majesty, his Heirs and Successors, and the other Moiety to the Informer or Informers prosecuting for the same, and in case of Non-payment, the said Justice, by Warrant under his Hand and Seal, shall cause the same to be levied by Distress and Sale of the Offender's Goods and Chattels, or of the Goods and Chattels with which such Offender shall be found trading, and the Overplus of the Money raised, after deducting the Penalty and Expence of the

the Distress and Sale, shall be rendered to the Owner, and shall also commit the Offender to the Prison of such County, Shire, Division, City, Liberty, Town or Place, there to remain until the said Penalties, and the reasonable Charges of taking the said Distress, shall be levied by such Distress and Sale as aforesaid, or until the same shall be paid or satisfied by such Offender; and it shall be lawful for any such Justice of the Peace, by his Warrant to cause such Offender to be apprehended and brought before him to answer to any Charge or Complaint for any such Penalty, and to commit such Offender to Prison as aforesaid, until the hearing of such Charge or Complaint, unless he or she shall and do enter into a Recognizance before such Justice, with Two sufficient Sureties in a sufficient Sum, to be ordered by such Justice to appear at the hearing of such Charge or Complaint.

XXVI. Provided always, and be it further enacted, That no Person committed to any Gaol or House of Correction for any Offence committed against this Act, shall be detained in such Gaol or House of Correction, for any longer Space of Time than Three Months.

XXVII. And be it further enacted, That if any Person or Persons shall find himself, herself or themselves aggrieved by the Judgment of any such Justice, then he, she or they shall or may, upon entering into a Recognizance with Two sufficient Sureties, to be approved by such Justice, to the Amount of the Value of such Penalty and Forfeiture, together with a Sum which, in the Judgment of such Justice shall be adequate to the Amount of the Costs which may be awarded, conditioned to pay the Amount of such Penalties, Forfeitures and Costs as shall be adjudged in case such Judgment shall be affirmed, appeal to the Justices of the Peace at the next General Sessions for the County, Riding or Place, (a) are hereby empowered to summon and examine Witnesses upon Oath, and finally to hear and determine the same, or at their Discretion to state the Facts especially for the Determination of His Majesty's Court of King's Bench thereon; and in case the Judgment of such Justice shall be affirmed, it shall be lawful for such Justices, or the Court of King's Bench, to award the Person or Persons to pay such Costs occasioned by such Appeal as to them shall seem meet. (a) [Query "who."]

Time of Commitment,

Appeal.

Form of Conviction.

XXVIII. And be it further enacted, That a Conviction in the Form or to the Effect following, *mutatis mutandis*, as the case shall happen to be, shall be good and effectual to all Intents and Purposes whatsoever, without stating the Evidence, and without alledging more than the Substance of the Offence in all Cases wherein any such Justice of the Peace hath Power to convict by virtue of the present Act:

' BE it remembered, That on the Day of
' in the Year of our Lord at
' in the County of A. B. came before me C. D.
' One of His Majesty's Justices of the Peace for the said County
' residing near the Place where the Offence hereinafter mentioned
' was committed, and informed me that E. F. of
' in the said County of [here set forth the Facts
' for which the Information is laid], whereupon the said E. F. being
' duly summoned to answer the said Charge, appeared before me,
' (and having heard the Charge contained in the said Information,
' acknowledged and voluntarily confessed the Facts therein stated to
' be true,) but in his [or her] Defence alledged [here setting forth
G 4 the

‘ *the Substance of the Defence*] or voluntarily confessed the said Charge
 ‘ to be true, or did not make any Defence against the said Charge,
 ‘ whereupon the same was fully proved on the Oath of *G. H.* a
 ‘ credible Witness, or said that he [or she] was not guilty of the
 ‘ said Offence, whereupon the same was fully proved on the Oath of
 ‘ *G. H.* a credible Witness [or as the Case shall be], or did not appear
 ‘ before me pursuant to the said Summons, but the said Charge was
 ‘ fully proved on the Oath of *G. H.* a credible Witness [or as the
 ‘ Case shall be], and therefore it manifestly appearing to me, that the
 ‘ said *E. F.* is guilty of the Offence charged in the said Information,
 ‘ I do hereby convict him [or her] of the said Offence, and do
 ‘ adjudge that he [or she] hath forfeited the Sum of
 ‘ or his [or her] Licence, and the Sum of
 ‘ of lawful Money of *Great Britain*, to be distributed as the Law
 ‘ directs according to the Form of the Statute in such case made
 ‘ and provided. Given under my Hand and Seal the

Certiorari.

XXIX. And be it further enacted, That no Conviction upon this Act shall be removed or removeable by Writ of *Certiorari* or otherwise into His Majesty's Court of King's Bench or any other Court, save upon an Appeal as by this Act is directed.

Justices to
transmit
Accounts of
Convictions,
and Penalties

XXX. And be it further enacted, That every Justice before whom any Person hath already been convicted of any Offence under or by virtue of any of the Acts hereby repealed, and having received for His Majesty's Use any Part or Share of any Penalty levied, inflicted or paid under or by virtue of such Conviction for which he has not already accounted, shall, within Six Months after the passing of this Act, transmit to the Commissioners for licensing Hawkers, Pedlars and Petty Chapmen, a Schedule or Schedules containing the Names of the Persons so convicted, the Day on which they were convicted, their respective Offences, and the respective Sums now remaining in the Hands of such Justice for His Majesty's Use, which were levied or paid under or by virtue of such Convictions, arranged according to the several Counties, Ridings or Places within which such Convictions hath been made, and every Justice before whom any such Person shall be convicted of any Offence under or by virtue of this Act, shall take and receive His Majesty's Share of the Penalty levied or paid under or by virtue of such Conviction, and that every such Justice, his Executors or Administrators, shall pay or cause to be paid all such Sums of Money as shall be remaining in his or their Hands at the time of the passing of this Act, at the next General Quarter-Sessions of the Peace after the passing of this Act; and all such Sums which he shall so take or receive upon any Conviction under or by virtue of this Act as aforesaid, at the next General Sessions of the Peace after he shall have so taken or received the same, into the Hands of the Clerk of the Peace or other such like Officer for the County, Riding or Place, within which such Conviction shall have been made, who is hereby directed to remit the same forthwith, without Fee or Reward, to the said Commissioners for licensing Hawkers, Pedlars and Petty Chapmen, or to such Person or Persons as the greatest Part of them shall appoint, and that every Justice, his Executors or Administrators, shall immediately on such Payment made to any Clerk of the Peace or other such Officer, transmit a like Schedule to the said Commissioners, or to such Person or Persons as they or the greater Part of them shall appoint.

To pay over
Money to
Clerk of the
Peace, who is
to remit same.

XXXI. And

XXXI. And be it further enacted, That all and every the Powers, Authorities, Directions, Rules, Methods, Penalties and Forfeitures, Exemptions, Clauses, Matters and Things whatsoever, which in and by the said Act made in the Reign of King *William* the Third, or by any other Law now in force relating to or concerning the Duties by that Act granted, are provided, settled or established, (other than so far as the same is, are or shall be inconsistent with, or contradictory or repugnant to any thing in this Act contained, and other than in such Cases for which different Provisions are prescribed by this Act), shall be exercised, practised, applied, used and put in Execution in and for the managing, raising, levying, collecting, recovering and paying the several Duties hereby granted, and be in force with respect to the same, as fully and effectually, to all Intents and Purposes, as if all and every the said Powers, Authorities, Directions, Rules, Methods, Penalties, Forfeitures, Exemptions, Clauses, Matters and Things, were particularly repeated and again enacted in this present Act. [See Repeal of 9 and 10 W. 3. c. 27. ante § 1. and also the second Line of § 30. ante.]

9 & 10 W. 3.
c. 27. where
applicable
extended to
this Act.

XXXII. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses, to give Evidence before any Justice or Justices of the Peace, touching any of the Matters relative to this Act, or the hereinbefore mentioned Act, made in the Reign of King *William* the Third, and shall neglect or refuse to appear at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for such Neglect or Refusal, to be allowed of by such Justice or Justices of the Peace, or, appearing shall refuse to be examined upon Oath, and give Evidence before such Justice or Justices of the Peace before whom the Prosecution shall be depending, that then every such Person shall forfeit for every such Offence the Sum of Ten Pounds, to be recovered, levied and paid, in such manner and by such means as are herein directed as to the other Penalties.

Witnesses
refusing to
attend or to
give Evidence,

Penalty.

XXXIII. And be it further enacted, That the several Duties hereinbefore granted, shall be paid from time to time into the Hands of the Cashier for the time being, of the Duties on Hawkers, Pedlars and Petty Chapmen, who shall keep a separate and distinct Account of the several Rates and Duties, and pay the same (the necessary Charges of raising, paying and accounting for the same being deducted,) into the Receipt of the Exchequer, at such time and in such manner as the Duties now charged on Hawkers, Pedlars and Petty Chapmen are directed to be paid; and that in the Office of the Auditor of the said Receipt shall be provided and kept in a Book or Books, in which all the Monies arising from the said several Rates and Duties, and paid into the Receipt as aforesaid, shall be entered separate and apart from all other Monies paid or payable to His Majesty, his Heirs or Successors, upon any Account whatsoever; and the said Money, so paid into the said Receipt of Exchequer as aforesaid, shall be carried to and made Part of the Consolidated Fund, and shall be subject to all the Charges to which the Duties upon Hawkers and Pedlars were liable immediately before the passing of this Act.

Application of
Duties.

XXXIV. And be it further enacted, That if any Person or Persons shall at any time or times be sued, molested or prosecuted for any thing by him or them done or executed in pursuance of this Act,

General Issue.

Treble Costs.

Act, or of any Clause, Matter or Thing herein contained, such Person or Persons shall and may plead the General Issue, and give the Special Matter in Evidence, for his or their Defence; and if, upon the Trial, a Verdict shall pass for the Defendant or Defendants; or the Plaintiff or Plaintiffs shall become nonsuited or Judgment shall be recovered against him or them upon Demurrer; or if the Plaintiff or Plaintiffs shall discontinue his, her or their Action; or be non-prossed therein; then such Defendant or Defendants shall have Treble Costs awarded to him or them against such Plaintiff or Plaintiffs.

C A P. XLII.

An Act for consolidating the Duties of Customs for the *Isle of Man*, and for placing the same under the Management of the Commissioners of Customs in *England*. [2d June 1810.]

7 G. 3. c. 45.

§ 2.

45 G. 3. c. 99.

§ 2.

§ 3.

WHEREAS by an Act passed in the Seventh Year of the Reign of His present Majesty, intituled, *An Act for encouraging and regulating the Trade and Manufactures of the Isle of Man; and for the more easy Supply of the Inhabitants there, with a certain Quantity of Wheat, Barley, Oats, Meal and Flour, authorized by an Act made in this Session, to be transported to the said Island*, the Duties payable to His Majesty on certain Goods, Wares and Merchandize imported into the said *Isle of Man*, are directed to be raised, levied, collected, paid and recovered under the Authority and Direction of the Commissioners of the Treasury, or the Lord High Treasurer for the time being, and are to be paid into the Receipt of His Majesty's Exchequer; and such Part thereof as shall remain, after the necessary Expences attending the said Government of the said *Isle of Man*, and the Administration of Justice there are from time to time defrayed, is reserved for the Disposition of Parliament: And whereas by an Act passed in the Forty fifth Year of His said Majesty's Reign, intituled, *An Act for regulating and encouraging the Trade for the Improvement of the Revenue and Prevention of Smuggling to and from the Isle of Man*, certain Duties are directed to be paid on the Importation of Wine, Brandy, Geneva, Tea, Coffee and Tobacco, in lieu of the former Duties payable on such Goods; and the said Duties are directed to be raised, levied, collected, paid, recovered and accounted for under the Authority and Direction, and under the Management and Controul of the Commissioners of the Customs in *England* for the time being, and such Part thereof as shall remain, after the necessary Expences attending the Government of the said *Isle of Man*, and the Administration of Justice there are from time to time defrayed and certain Bounties and Charges paid thereout, are to go and make Part of the Consolidated Fund of *Great Britain*; and it is expedient that the Duties imposed by the said Acts should be consolidated into one Act and levied and collected under the sole Management of the Commissioners of the Customs in *England* for the time being, and be applied in the manner directed by the said last recited Act of the Forty fifth Year of the Reign of His present Majesty; Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifth Day

Day, of *July* One thousand-eight hundred and ten, all and singular the Duties payable to His Majesty, his Heirs, and Successors by virtue of any Act or Acts of Parliament in Force on and immediately before the said Fifth Day of *July* One thousand eight hundred and ten, upon the Importation of any Goods, Wares or Merchandize into the *Isle of Man*, shall cease and determine, save and except any such Duties as may, on the said Fifth Day of *July* remain unpaid, upon Goods, Wares and Merchandize which shall have been imported at any time before the said Fifth Day of *July*; and in lieu of the said Duties hereby made to cease and determine, there shall be raised, levied, collected and paid unto His Majesty, his Heirs and Successors, in Sterling Money of *Great Britain*, upon Goods, Wares or Merchandize imported and brought into the said *Isle of Man*, the several Duties of Customs as the same are inserted, described and set forth in Figures in the Schedule hereunto annexed marked (A.); any Law, Custom or Usage to the contrary notwithstanding.

Duties on Goods imported into *Isle of Man* to cease.

Other Duties.

II. And be it further enacted, That the Duties granted and imposed by this Act, and made payable according to the Weight, Tale, Gauge, Measure or Value of any Goods, Wares or Merchandize charged with such Duties, shall be charged and payable upon any greater or less Weight, Tale, Gauge, Measure or Value thereof, than the Weight, Tale, Gauge, Measure or Value particularly inserted, described and set forth in the Schedule hereunto annexed, according to the Account taken of such Goods, Wares or Merchandize, at the time of the Examination thereof by the proper Officer or Officers of the Customs.

How Duties to be paid.

III. And be it further enacted, That every Act of Parliament in force on and immediately before the Fifth Day of *July* One thousand eight hundred and ten, by which any Goods, Wares or Merchandize prohibited to be imported or exported from the said *Isle of Man*, or by which any Rules, Regulations, Conditions or Restrictions, were made, established or directed, for the better securing the Revenue of Customs in the said *Isle of Man* or *Great Britain*, or for the regular Importation into the said *Isle of Man* of any Goods, Wares or Merchandize, or the entering or landing thereof, except where any Alteration is expressly made by this Act, and all Provisions, Clauses, Matters and Things relating thereto, shall and are hereby declared to be and remain in full Force and Effect, and shall be applied to the Subject of this Act, and for carrying the same into Execution, as fully and effectually as if they had been repeated and re-enacted in this present Act.

Former Acts in force.

IV. And be it further enacted, That in all Cases where by the said Schedule hereunto annexed, the Duties of Customs by this Act imposed upon the Importation of Goods, Wares or Merchandize into the *Isle of Man*, are charged not according to the Weight, Tale, Gauge or Measure, but according to the Value thereof, such Value shall be taken and considered as the same shall be at the Port of Importation, without any Abatement or Deduction whatever, except of so much as the Duties payable on the Importation thereof by this Act shall amount to, and that such Value shall be ascertained by the Declaration of the Importer or Proprietor of such Goods, Wares or Merchandize so imported, or of his known Agent or Factor, in Manner and Form following; *videlicet*

How Value of Goods taken to ascertain Duties.

‘ I A. B’

Form of
Declaration of
Value of Goods.

‘ I *A. B.* do hereby declare, That the Goods mentioned in this Entry, and contained in the Packages [*here specifying the several Packages, and describing the several Marks and Numbers as the Case may be*], and that I am the Importer or Proprietor thereof, or, that I am duly authorized by him [*as the Case may be*], and I do enter the same at the Value of

‘ Witness my Hand the Day of

‘ The above Declaration signed the Day of

‘ in the Presence of

‘ Collector, Comptroller or other principal Officer.’

Which Declaration shall be written on the Warrant of the Entry of such Goods, Wares or Merchandize, and shall be subscribed with the Hand of the Importer or Proprietor thereof, or his known Agent or Factor, in the Presence of Two of the proper Officers of the Customs at the Port of Importation, of which the Collector shall be One, who shall certify the same under their Hands; and such Declaration, so made and signed as hereinbefore directed, shall be to all Intents and Purposes whatever of the same Force and Effect, and the Importer or Proprietor of such Goods, Wares or Merchandize, shall be in every respect bound by such Declaration, as fully and effectually as if the Value of such Goods, Wares or Merchandize had been ascertained by the Oath or Affirmation of such Importer or Proprietor.

In what case
Goods may be
seized.

V. And be it further enacted, That if upon View or Examination of such Goods, Wares or Merchandize by the proper Officer or Officers of the Customs, it shall appear to him or them that such Goods, Wares or Merchandize are not valued according to the true Price or Value thereof, and according to the true Intent and Meaning of this Act, then it shall and may be lawful for the proper Officer or Officers of the Customs to detain such Goods, Wares or Merchandize, and to cause the same to be conveyed into His Majesty's Warehouse, or otherwise properly secured at the Port of Importation, and to take such Goods, Wares or Merchandize for the Use and Benefit of the Crown, within Eight Days from the Landing thereof, and the Collector of the Customs in the Port where such Goods shall be detained with the Privity of his Comptroller, is hereby empowered to pay out of any Money in his Hands, arising from the Revenue of Customs to the Importer or Proprietor of such Goods, Wares or Merchandize, the Value thereof so ascertained as aforesaid, together with an Addition of Ten Pounds *per Centum* thereon, and also the Duties paid on the Importation of such Goods, Wares or Merchandize, but without any further Allowance either on account of Freight, or any other Charge or Expence whatever; which Payment shall be made within Fifteen Days after the said Goods, Wares or Merchandize shall have been so taken; and such Payment so made to the Importer or Proprietor of such Goods, Wares or Merchandize, shall be in full Satisfaction for the same, to all Intents and Purposes, as if the said Goods, Wares or Merchandize had been regularly sold.

How disposed of
before Sale.

How Proceeds
disposed of after
Sale.

VI. And be it further enacted, That it shall and may be lawful for the Collector and Comptroller to cause the said Goods, Wares or Merchandize to be fairly and publickly sold to the best Advantage, and in case there shall be any Overplus remaining from the Produce of such Sale, after deducting the Value so ascertained as aforesaid, together

together with the Addition of Ten Pounds *per Centum* thereon, and of the Duties paid on the Importation, and also the Charges arising from the Warehousing and Sale of such Goods, the Collector and Comptroller shall and may pay One Moiety of the Overplus to the several and respective Officers of the Customs, concerned in the View and Examination of such Goods, Wares or Merchandize, as an Encouragement for the faithful Discharge of their Duty, and the other Moiety of such Overplus, together with the Amount of the Value of such Goods so ascertained as aforesaid, with the Addition of Ten Pounds *per Centum*, and also of the Duties payable on the Importation thereof, shall be remitted to the Receiver General of the Customs in *England*, to be applied in like manner as if the same had been received on account of the Duties of Customs by this Act granted and imposed; but in case it shall so happen that the Produce of such Sale, after deducting the Charges arising from the Warehousing, Securing or Sale of such Goods, shall not exceed the Value of such Goods so ascertained as aforesaid, with the Addition of Ten Pounds *per Centum* thereon, and of the Duties paid on the Importation thereof, that then, and in such case, the whole Produce of the Sale of such Goods, Wares or Merchandize, after deducting the Charge arising from the Warehousing, Securing and Sale thereof, shall be remitted to the said Receiver General of the Customs in *England*, to be applied in like manner as if the same had been received on account of Duties.

VII. And be it further enacted, That in case any Goods, Wares or Merchandize, upon which Duties of Customs are hereby imposed shall be detained by any Officer of the Customs on account of the same not being valued according to the true and real Value thereof, and according to the true Intent and Meaning of this Act, it shall and may be lawful for the Commissioners of His Majesty's Customs for the time being, or any Four or more of them, upon Proof being made to their Satisfaction that no Fraud was intended, to direct the Goods to be delivered and the Entry to be amended, upon such Terms and Conditions as under the Circumstances of the case shall appear to the said Commissioners of the Customs to be reasonable, and as they shall think fit to direct; Provided always that if the Importer or Proprietor of such Goods, Wares or Merchandize shall accept the Terms or Conditions prescribed by the said Commissioners of the Customs respectively, such Importer or Proprietor shall not have or be entitled to any Recompence or Damage on account of the Detention of such Goods, Wares or Merchandize, or have or maintain any Action whatever for the same; any Law, Custom or Usage to the contrary notwithstanding.

In what case
Commissioners
may order Goods
to be delivered up,
and Entry
amended.

VIII. And be it further enacted, That the said Rates and Duties shall be paid in ready Money to the Collector or Collectors of the Customs in the said *Isle of Man* appointed to receive the same without any Discount or Allowance whatever; and shall be raised, levied, collected, paid, recovered and accounted for under the Authority and Direction, and under the Management and Controul of the said Commissioners of the Customs in *England* for the time being, in like Manner and Form, and by the same Rules and Regulations, and under such Penalties and Forfeitures, Clauses, Matters and Things not hereby altered, and, as far as the same are applicable, as the Duties of Customs in *England* are raised, levied, collected,

Duties paid to
Collector, and
to be under
Commissioners
of Customs in
England.

paid, recovered and accounted for, as fully and effectually to all Intents and Purposes as if the several Clauses, Powers, Directions, Penalties and Forfeitures relating thereto were particularly repeated and again enacted in this present Act.

Money to be remitted to Receiver General.

IX. And be it further enacted, That all Sums of Money received under the Authority of this Act shall be remitted to the Receiver General and Cashier of the Customs in *England* agreeably to such Directions as may from time to time be given for that Purpose by the said Commissioners of the Customs in *England*, to be paid into the Receipt of His Majesty's Exchequer distinctly and apart from all other Branches of the Public Revenue; and such Part thereof as shall remain, after the necessary Expences attending the Government of the said *Isle of Man*, and the Administration of Justice there, and all other Charges, are from time to time defrayed, shall go to and make Part of the Consolidated Fund of *Great Britain*.

Consolidated Fund.

Collector to make up Accounts of Duties, and transmit to Treasury, Duplicate to Auditor, and another to Duke of Atholl.

X. And be it further enacted, That the Collector of the Customs at the Port of *Douglas* in the said *Isle*, for the time being, shall, as soon after the Expiration of each Quarter of every Year ending on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July* and the Tenth Day of *October* respectively in each Year, as the same can be done, make out an Account of the gross Produce of the Duties of Customs payable and arising within the said *Island* in the preceding Quarter, in such Form as shall be directed by the Lords Commissioners of His Majesty's Treasury, or any Three of them for the time being, and shall transmit and certify such Account to the Lords Commissioners of His Majesty's Treasury for the time being; and a Duplicate so certified to the Auditor for the time being of the Exchequer; and another Duplicate to the most Noble *John Duke of Atholl*, or to the Person entitled for the time being to any Annuity out of the Consolidated Fund, to be calculated on any Amount of such Duties under any Act or Acts now in force, or hereafter to be made, to any Person or Persons appointed by him or them, by Writing under his or their Hand or Hands, to receive the same; and if any such Collector of the Customs at the said Port of *Douglas* shall refuse or neglect to make out such Account, or to transmit such Duplicates as aforesaid, for the Space of One Month after the same can be done, such Collector of the Customs shall forfeit for every such Offence the Sum of Two hundred Pounds, and the further Sum of Two hundred Pounds for each and every Month succeeding such First Month, for which he shall omit or neglect to make out such Account, or to send such Duplicates so certified as aforesaid; and to be recovered in any of His Majesty's Courts at *Westminster*, by Action of Debt, Bill, Complaint or Information, in which no Essoign or Wager of Law shall be allowed, or in any Court in the said *Island*; and every such Penalty shall go and be applied to the Use of the said *John Duke of Atholl*, or the Person or Persons for the time being entitled to such Annuity as aforesaid.

Neglect.

Penalty.

Collector to keep Books.

XI. And be it further enacted, That there shall be provided and kept by the said Collector of the Customs at the said Port of *Douglas*, for the time being, a Book or Books in which the Duties of Customs arising and payable within the *Isle of Man* under this Act shall be entered separate and under distinct Heads, specifying the respective Amount of the Duties of Customs on the several Articles imported by License of the Commissioners of His Majesty's Customs in *England*.

England and Scotland respectively, and the Amount of Duties on Goods, Wares or Merchandize not imported by License; and if any of the said Duties, or any Part or Proportion of any such Duties, shall at any time hereafter be repealed, altered or varied, then, and in such case, the average Produce of the Duties, or Proportion of Duties so repealed, altered or varied, for the Three Years preceding the Fifth Day of *January* immediately preceding such Repeal, Alteration or Variation of such Duties as aforesaid, shall be entered distinctly and separately in such Book or Books as aforesaid; and if any new Duties shall be granted in lieu of any Duties so repealed, altered or varied, then, and in such case, the Duties, or such a Proportion thereof as shall be equal to any Duties so repealed, or to such Proportions of any such Duties as shall be so altered or varied, shall also be entered distinctly and separately in such Book or Books: Provided, that it shall and may be lawful for any Person or Persons to import, without Payment of any Custom or other Duty, into the said *Isle of Man*, in any Ship or Vessel from any Port or Place, any Flax, Flax Seed, Raw or Brown Linen Yarn, Wood Ashes, Weed Ashes, Flesh of all Sorts, and any Sort of Corn or Grain, from any Part or Place (except from *Great Britain* only,) and any Quantity of Herrings not exceeding One thousand Barrels of Herrings annually for the Consumption of the Island, on Failure of the Fishery carried on upon the Coast thereof; the said Herrings being imported by virtue and in pursuance of License granted for that Purpose by the House of *Keys* in the said Island.

Importation of
Flax and other
Goods into Isle of
Man Duty free.

XII. And be it further enacted, That it shall and may be lawful for any of His Majesty's Subjects to import into the *Isle of Man* in *British* Vessels navigated according to Law, from any Port or Place in *Great Britain* or *Ireland*, any Sort of White or Brown Linen Cloth, and Hemp or Hemp Seed, being the Produce or Manufacture of *Great Britain* or *Ireland*, Horses and Black Cattle, all Utensils and Instruments fit and necessary to be employed in Manufactures, Fisheries or Agriculture, Bricks and Tiles, all Sorts of young Trees, Sea Shells, Lime and Soapers' Waste, Pack Thread, and small Cordage for Nets, without Payment of any Custom or Duty whatsoever for the same.

Of Linen Cloth,
&c.

XIII. And be it further enacted, That it shall and may be lawful for any of His Majesty's Subjects to import into the said *Isle of Man* in *British* Vessels navigated according to Law, from any Port or Place in *Great Britain*, without Payment of any Custom or Duty whatsoever, any Sort of Salt, Boards, Timber and Hoops, being the Produce and Manufacture of *Great Britain*, Iron in Rods or Bars, Cotton, Indigo, Naval Stores and any Sort of Wood, commonly called Lumber (as specified in an Act passed in the Eighth Year of the Reign of King *George* the First, intituled, *An Act for giving further Encouragement for the Importation of Naval Stores; and for other Purposes therein mentioned*), of the Growth, Production or Manufacture of any *British* Colony or Plantation in *America*, and all other Goods of the Growth, Production or Manufacture of the said Colonies or Plantations for which any Bounty or Premium is allowed by Law on the Importation thereof into *Great Britain*; provided that due Entries shall be made of the Goods hereinbefore mentioned, which are allowed to be imported into the said *Isle of Man*, Duty-free, at the Custom House for the Port or Place where the same shall

Of Salt, &c.

8 G. 1. c. 12.

be imported, expressing the Quantity and Qualities of such Goods in the usual manner, before landing thereof, and the same shall be landed in the Presence of the proper Officer of the Customs for that Purpose; on Failure whereof the said Goods shall be charged with the Duty of Fifteen Pounds *per Centum ad Valorem*; any thing in this Act contained to the contrary notwithstanding.

Limitation of
Actions.

General Issue.

Treble Costs.

XIV. And it is hereby further enacted, That if any Action or Suit shall be brought or commenced against any Person or Persons for any Thing done in pursuance of this Act, such Action or Suit shall be commenced within Three Calendar Months next after the Fact committed, and not afterwards, and shall be laid in the Place where the Cause of Complaint did arise, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon; and if the Jury shall find for the Defendant or Defendants in such Action or Suit, or if the Plaintiff or Plaintiffs shall be nonsuited or discontinue his, her or their Action or Suit after the Defendant or Defendants shall have appeared; or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and have the like Remedy for the same as any Defendant had in other Cases to recover Costs by Law.

SCHEDULE to which this Act refers.

Schedule (A.)

A SCHEDULE of the Duties of Customs payable on the Importation into the Isle of Man of certain Goods, Wares and Merchandize, therein enumerated or described.

	£.	s.	d.
Coals, from Great Britain or Ireland, per Chaldron, Winchester Measure	0	0	3
Coffee, from Great Britain, under any Licence from the Commissioners of the Customs in England or Scotland, for every lb. Weight [45 G. 3. c. 99.]	0	0	4
Deal Boards, from Foreign Parts, for every £100 of the Value thereof [7 G. 3. c. 45. and 20 G. 3. c. 42.]	10	0	0
Hemp, the like	10	0	0
Hops, from Great Britain, for every lb. Weight [45 G. 3. c. 99.]	0	0	1½
Iron, from Foreign Parts, for every £100 of the Value thereof [7 G. 3. c. 45. and 20 G. 3. c. 42.]	10	0	0
Spirits, viz. Foreign Brandy, imported from any Port or Place whatever, under any Licence from the Commissioners of Customs in England or Scotland, the Gallon [45 G. 3. c. 99.]	0	3	0
Foreign Geneva, imported from any Port or Place whatever, under any Licence from the Commissioners of the Customs in England or Scotland, the Gallon [45 G. 3. c. 99.]	0	3	0
			Spirits,

	£.	s.	d.
Spirits, Foreign Rum &c. the like - - -	0	2	0
N. B. Omitted in 45 G. 3. c. 99. Former Acts 7 G. 3. c. 45. 20 G. 3. c. 42. and 21 G. 3. c. 28. - - -			
Tea, viz. Bohea Tea, the like, for every lb. Weight [45 G. 3. c. 99.] - - -	0	0	6
— Green Tea, the like [45 G. 3. c. 99.] - - -	0	1	0
Tobacco, the like [45 G. 3. c. 99.] - - -	0	0	6
Timber from Foreign Parts, for every £100 of the Value thereof [7 G. 3. c. 45. and 20 G. 3. c. 42.] - - -	10	0	0
Wine, viz. French Wine imported from any Port or Place whatever, under any Licence from the Commissioners of the Customs in England or Scotland, the Tun containing 252 Gallons [45 G. 3. c. 99.] - - -	16	9	0
— of any other Sort so imported under Licence, the Tun containing 252 Gallons [45 G. 3. c. 99.] - - -	12	0	0
Goods, Wares and Merchandize not hereinbefore particularly enumerated, which are or may be entitled to any Bounty or Drawback of Excise in Great Britain, and which shall be imported from thence, for every £100 of the Value thereof [7 G. 3. c. 45.] - - -	5	0	0
— not hereinbefore charged with Duty, imported from Great Britain or Ireland, for every £100 of the Value thereof [7 G. 3. c. 45.] - - -	2	10	0
— not hereinbefore charged with Duty, imported from any Port or Place from whence such Goods may lawfully be imported into the Isle of Man [7 G. 3. c. 45.] - - -	15	0	0

C A P. XLIII.

An Act for maintaining and keeping in Repair, Roads made and Bridges built in Scotland, under the Authority of the Parliamentary Commissioners for Highland Roads and Bridges.

[2d June 1810.]

‘ WHEREAS an Act was passed in the Forty third Year of the Reign of His present Majesty, intituled, *An Act for granting to His Majesty the Sum of Twenty thousand Pounds, to be issued and applied towards making Roads and building Bridges in the Highlands of Scotland; and for enabling the Proprietors of Land in Scotland to charge their Estates with a Proportion of the Expence of making and keeping in Repair Roads and Bridges in the Highlands of Scotland*: And whereas various Grants of Money have been since made and issued to the Commissioners therein named, for the Purposes therein mentioned: And whereas many Roads and Bridges have been made and built pursuant to the said recited Act, and others are in the course of being made and built: and it is further necessary to provide effectual and adequate means for main-

In what case
Commissioners of
Supply to
determine what
District shall
bear Expence of
Repairs.

‘ taining and keeping the same in perpetual Repair ;’ May it therefore please Your Majesty that it may be enacted : And be it enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Commissioners of Supply in any County within which any Road or Bridge has already been made or built pursuant to the said recited Act, to settle and determine either at the next Annual Meeting after the passing of this Act, at which they shall assemble to assess the Land Tax, or at such Annual Meeting in the Year One thousand eight hundred and twelve, what Part or District, Parts or Districts of the County shall bear or defray the Expence of maintaining and keeping each such Road or Bridge in Repair, and where any Road or Bridge shall be made or built pursuant to the said recited Act, in any County after the passing of this Act, it shall and may be lawful for the Commissioners of Supply of such County, at some Annual Meeting at which they shall assemble, to assess the Land Tax, which shall be held within Two Years after such Road or Bridge shall be completed, to settle and determine what Part or District, Parts or Districts of the County shall bear and defray the Expence of maintaining and keeping such Road or Bridge in repair : Provided, that after any such Determination shall have been once made, the same shall not be altered : And provided also, that if the said Commissioners of Supply shall not so settle and determine the Part or District, Parts or Districts of the County by which such Road or Bridge is to be maintained and kept in repair, the same shall be maintained and kept in repair at the Expence of the County at large.

Appeal.

II. Provided further, and be it enacted, That if any Person or Persons shall think himself, herself or themselves aggrieved by any such Determination of the said Commissioners of Supply, it shall and may be lawful for any such Person or Persons, within Three Months after any such Determination, to appeal against the same to either Division of the Court of Session, and the Decision of such Division thereupon shall be final and conclusive without being subject to any further Review whatever : Provided nevertheless, that it shall and may be lawful for any such Person or Persons, if they think proper to appeal in the first Instance to the Sheriff of the County, whose Sentence may be brought under the Review of either Division of the Court of Session, and the Decision of such Division thereupon shall be final and conclusive as aforesaid.

Proviso.

State of
Roads, &c.
Estimate of
Expence, &c. to
be laid before
Commissioners.

III. And be it enacted, That the Commissioners of Supply of every County in which any Road or Bridge shall have been or shall be made or built pursuant to the said recited Act, shall and they are hereby empowered and required to order and direct every such Road or Bridge to be placed under the Superintendence hereinafter prescribed ; and a Report of the State thereof, with an Estimate of the Expence required for maintaining and keeping the same in Repair for the succeeding Year, to be laid before them at each annual Meeting at which they assemble to assess the Land Tax.

Assessment on
Land Owners.

IV. And be it enacted, That at such Annual Meeting such Commissioners of Supply shall make an Assessment upon each and every Proprietor, Liferenter or proper Wadsetter of Land enjoying the *dominium utile* thereof in any such County, or Part or District, or

Parts

Parts or Districts of such County, as the case may be, rateably and proportionably, according to the Amount of their respective valued Rents, for such Sum and Sums of Money as from such Reports and Estimates shall appear to be necessary for maintaining and keeping every such Road and Bridge in repair: Provided always, that such Assessment shall not in any One Year exceed the Sum of One Shilling Sterling in the Pound *Scots* of valued Rent.

V. And be it enacted, that every such Assessment shall be levied and recovered by the Collector of the Land Tax of the County within which it shall have been made, in the same manner as the Land Tax is or may be levied and recovered, and at such time or times as such Commissioners of Supply shall direct; and such and the like Remedies, Powers, Penalties and Forfeitures are hereby given for the Payment and Recovery of every such Assessment which are given or may be applied and enforced for the Payment and Recovery of the Land Tax: Provided always, that every such Collector shall find Security for his faithful and true accounting for and paying all Monies to be recovered by him pursuant to this Act, in the same manner that such Collector does for his faithful and true accounting and paying all Sums of Money received by him as Collector of the Land Tax.

Collector of
Land Tax to
levy Assessment.

VI. And be it enacted, That every such Collector shall, from time to time, pay all Sums of Money received by him pursuant to this Act into the Hands of such Bank or Banking Company as the said Commissioners of Supply shall as they are hereby required to direct,† upon an Account to be opened for the Purposes of this Assessment, at such Rate of Interest as shall be allowed by such Banking Company, which Interest, so allowed, shall be applied with the said Assessment for the Purposes of this Act; and if any such Collector of the Land Tax shall at any time keep in his Hands for the Space of more than Fourteen Days a larger Sum than Twenty Pounds Sterling of Money received by him pursuant to this Act, or shall fail to render an Account thereof when required, such Collector shall, for every such Offence, forfeit the Sum of Thirty Pounds Sterling, besides the Interest which might have been received from the said Banking Company had the said Money been duly deposited in Terms of this Act, to be recovered with Expences of Process, by way of Summary Complaint at the Instance of any Heritor in any such County, before any Two or more of His Majesty's Justices of the Peace of the said County; One Half of which Sum shall go to the Use of His Majesty, his Heirs and Successors, and the other Half to the Person or Persons suing for the same.

Assessment to be
paid into a Bank.

† Sic.

Collector keep-
ing Money in
hand, &c.

Penalty.

VII. Provided always, and be it enacted, That every such Collector may retain for his own Use out of all Monies to be so received as aforesaid, such Allowance as such Commissioners of Supply shall think a reasonable Remuneration for his Trouble not exceeding the Rate of Allowance made to him for levying the Land Tax, and for which Allowance Provision shall be made in the Amount of each Assessment directed to be made pursuant to this Act.

Collector may
retain Allowance.

VIII. And be it enacted, That it shall and may be lawful for such Commissioners of Supply to appoint a Committee consisting of any Three or more of their Number, to superintend the maintaining and keeping in repair any such Road or Bridge, or Roads or Bridges, and which Committee of Superintendence shall be empowered by

Committee of
Superintend-
ance.

such Commissioners to draw upon the Banking Company with whom the Money arising from any such Assessment shall have been lodged as aforesaid, for the Money requisite for maintaining and repairing the Road or Bridge, or the Roads or Bridges, the Superintendence of which shall have been committed to their Charge, to such extent, in such manner, and subject to such Conditions, Rules and Regulations, as such Commissioners of Supply shall, from time to time, think proper to prescribe.

To report annually.

IX. And be it enacted, That every such Committee of Superintendence shall lay a Report of their Proceedings each Year before the annual Meeting of such Commissioners assembled to assess the Land Tax.

Roads and Bridges surveyed.

X. And be it enacted, That it shall and may be lawful for such Commissioners of Supply to order any such Road or Bridge to be surveyed as often as it shall appear necessary, by any Person or Persons appointed for that Purpose, and to order a Report of the State thereof, with or without an Estimate of the Expence required for maintaining and keeping the same in Repair, to be laid before them at the said Annual Meeting, and if necessary, to make a further Assessment, and to give such Orders and Directions thereupon as the Circumstances of the case may require.

Appointment of Officers.

XI. And be it enacted, That it shall and may be lawful for such Commissioners of Supply at the annual Meeting aforesaid to appoint a fit Person or Persons to be Surveyor or Surveyors, Clerk or Clerks, and such Officers as they shall think necessary for the due Execution of this Act, with such Salaries or Allowances as such Commissioners of Supply shall think fit, for which Provision shall be made in the Amount of each Assessment made pursuant to this Act; and from time to time to remove such Officers, or any of them, as they shall see occasion, and to appoint others in cases of Removal, Resignation or Death.

Commissioners of Supply neglecting Repair.

XII. And be it enacted, That if any such Road or Bridge shall not be maintained and kept in proper Repair, it shall be lawful for any Heritor possessing the *dominium utile* of Lands to the Amount of Two hundred Pounds Scots of valued Rent in any such County, or any Five or more Heritors in any adjoining County, possessing each the *dominium utile* of Lands to the Amount of Two hundred Pounds Scots of valued Rent, to apply by summary Petition and Complaint, stating the Circumstances, to the Sheriff Depute or Substitute of any such County, or to the Court of Session; which Petition and Complaint shall be served upon the Clerk of Supply and the Convener of such County, in the manner in which summary Complaints are ordered to be served by Sheriffs in *Scotland*, or by the Court of Session, if the Complaint shall be presented to that Court; and such Sheriff or Court shall thereafter, on advising the said Complaint, with or without Answers, proceed to ascertain the State of such Road or Bridge, and the Amount of the Sum required to repair the same, and shall be and the said Sheriff or Court of Session are hereby authorized and empowered to decern against the Commissioners of the said County, in proportion to their valued Rents, for the Sum which shall be judged necessary for repairing the said Road or Bridge, with Expences of Process.

Remedy.

Assessment to be made for Sum necessary.

XIII. And be it enacted, That an Assessment in the manner directed by this Act shall thereupon be made by the Commissioners of

of Supply upon the County or the Part or District, Parts or Districts thereof, liable to maintain such Road or Bridge in repair, as the case may be, for the Amount of the Sums so decreed for, either at their said next annual Meeting, or at a Meeting to be called for this special Purpose, upon Advertisement published in at least One Newspaper printed or circulated in the County at least Fourteen Days before such special Meeting, and every such Assessment shall be levied and recovered by the Collector of the Land Tax, and when levied and recovered shall be deposited with a Banking Company in the manner in which the aforesaid Assessment directed by this Act is ordered to be levied and recovered and deposited; and all the Remedies, Powers, Penalties and Forfeitures hereby given and granted for levying recovering and depositing the aforesaid Assessment directed by this Act, are hereby given and granted, and directed to be enforced for the levying recovering and depositing such Assessment for such Sums so decreed for.

XIV. And be it enacted, That where any Bridge which shall have been or may be built pursuant to the said recited Act, shall be situated partly in One County and partly in another, every such Bridge shall be placed under the Superintendence directed by this Act of the Committee of each County wherein the same is situated, and the same shall be maintained and kept in repair in the manner directed by this Act, at the joint Expence of such Counties.

How Bridges
situate in Two
Counties main-
tained.

XV. Provided always, and be it enacted, That where, by any Act or Acts already made or hereafter to be made, any Toll Duties shall be applicable, or where any Conversions for Statute Labour shall be allocated or appropriated to the Repair of any Road or Bridge made or built pursuant to the said recited Act, all Monies arising from such Tolls and Duties or such Conversions shall and may be applied in the manner in which such Monies are directed to be applied by any such Act or Acts respectively; and in making any Assessment pursuant to this Act, regard shall be had to all such Monies which are or may be applicable to the Repair of any Road or Bridge for which any such Assessment is to be made.

Application
Tolls.

C A P. XLIV.

An Act to provide for a durable Allowance of Superannuation to the Officers of Excise in Scotland, under certain Restrictions.

[2d June 1810.]

‘ WHEREAS an Act was passed in the last Session of Parlia-
‘ ment, intituled, *An Act to provide for a durable Allowance*
‘ *of Superannuation to the Officers of Excise under certain Restrictions* :
‘ And whereas the Allowance of Superannuation thereby made, was
‘ provided only for the Officers of Excise in *England* ; but it is ex-
‘ pedient to make a similar Provision for an Allowance of Superannu-
‘ ation to the Officers of Excise in *Scotland* :’ May it therefore please
Your Majesty that it may be enacted; and be it enacted by the
King’s Most Excellent Majesty, by and with the Advice and Con-
sent of the Lords Spiritual and Temporal, and Commons, in this
present Parliament assembled, and by the Authority of the same,
That from and after the passing of this Act, it shall and may be lawful
to and for the Lords Commissioners of His Majesty’s Treasury, or

49 G. 3. c. 96.

Allowance by
Treasury to su-
perannuated
Officers.

any Three or more of them for the time being, by Warrant under their Hands to grant and allow out of the Revenue of Excise of *Scotland*, to any Officer or other Person who shall have been employed in the said Revenue for and during the Space of Ten Years at the least, and who shall by Age or Infirmary have become incapable of properly executing or performing the Duties of his Office, a Pension, Annuity or yearly Payment not exceeding Three Fourth Parts of the Average annual Amount of the Salary which shall have been received by such Officer or other Person during the whole Period of Seven Years preceding the Resignation of such Officer or other Person.

And to Officers
&c. incapable by
Accidents.

Conditions of
Allowances.

II. Provided always, and be it further enacted, That it shall and may be lawful to and for the Lords Commissioners of His Majesty's Treasury, or any Three or more of them for the time being, to grant and allow, out of the said Revenue of Excise, to any such Officer or other Person as aforesaid, who, by Accident met with in the Execution of his Duty, shall be rendered totally incapable of performing the same, notwithstanding such Officer or other Person may not have been employed in the Revenue of Excise the full time before mentioned, a Pension, Annuity or yearly Payment not exceeding Three Fourth Parts of the annual Amount of the yearly Salary actually received by or payable to such Officer or other Person, at the time when such Officer or other Person shall have met with the Accident, by which he shall have been so rendered incapable of executing or performing his Duty: Provided also, that nothing herein contained shall extend, or be deemed or construed to extend to authorize or empower the Lords Commissioners of His Majesty's Treasury to grant or allow any Pension, Annuity or yearly Payment out of the Revenue of Excise to any Officer or other Person whatever under the Rank of a Commissioner of Excise, until it shall have been certified to the said Lords Commissioners under the Hands of the Commissioners of Excise, or the major Part of them for the time being, that such Officer or other Person claiming or soliciting any such Pension, Annuity or yearly Payment as aforesaid, on the Ground of Age or Infirmary, is from Age or Infirmary become incapable of properly executing or performing the Duty of such his Office or Station, and that he has been employed in the Service of the said Revenue at least Ten Years, and what yearly Salary such Officer or other Person shall have received for and during the preceding Seven Years, and that such Officer or other Person had, during his Employment, supported the Character of having faithfully discharged the Duties of his Office or Station, or, in case of Accident as aforesaid, that such Officer or other Person has been by such Accident rendered totally unable to execute or perform the Duty of such his Office or Station; any thing in this Act to the contrary notwithstanding.

C A P. XLV.

An Act for raising the Sum of Twelve Millions by way of Annuities.

[2d June 1810.]

C A P.

C A P. XLVI.

An Act for encouraging the Consumption of Malt Liquor in
Ireland. [9th June 1810.]

WHEREAS it is expedient to encourage the Consumption of Malt Liquor in *Ireland*: Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whenever it shall be made appear in manner hereinafter mentioned, that any Person in *Ireland* licensed to sell Spirituous Liquors, Wine, Beer, Ale and Cyder by Retail, has sold by Retail within the Quarter of a Year preceding, in or at the House or Houses wherein such Persons shall have been so licensed, Strong Beer, Ale or Porter, (bought by him at a Price not less than Thirty Shillings for every Barrel containing Forty two Gallons over and above all Allowances and Deductions whatever) in the Proportion of not less than One such Barrel of Strong Beer, Ale or Porter, for every Four Gallons of Spirituous Liquors sold therein or therefrom during such Quarter of a Year, every such Retailer shall be entitled to and shall receive in manner hereinafter mentioned, a Bounty after the Rate of Three Shillings and Four pence for every such Barrel of Strong Beer, Ale or Porter so sold by Retail as aforesaid.

Bounty to Re-
tailer of Spirits
selling Beer.

II. And be it further enacted, That every licensed Retailer who shall claim any Bounty for the Sale of Beer, Ale or Porter, under this Act, shall within Seven Days after the respective Quarters ending on the Twenty ninth Day of *September* One thousand eight hundred and ten, and the Twenty fifth Day of *December* One thousand eight hundred and ten, and also within Seven Days after the respective Quarters ending on the Twenty fifth Day of *March*, the twenty fourth Day of *June*, the Twenty ninth Day of *September* and the Twenty fifth Day of *December*, in each and every Year during the Continuance of this Act, deliver to the Officer keeping an Account of the Stock of such Retailer, to be by him delivered over to the Collector of the District, an Account signed by each Brewer or other Person or Persons respectively from whom such Retailer shall have purchased any Strong Beer, Ale or Porter, which shall have been sent into the Stock of such Retailer in the Course of such Quarter; and every such Account shall specify the Quantity and Price over and above all Allowances and Deductions of all such Beer, Ale or Porter, and the several Kinds thereof sold and delivered by any and every such Brewer or other Person to such Retailer, and the Date when every Barrel or other Vessel containing the same was so delivered; and every such Retailer shall at the same time deliver to such Officer an Account stating the Quantity of such Beer, Ale or Porter, and of Spirituous Liquors sold by Retail by such Retailer within such Quarter, and the Stock thereof remaining unsold on the last Day of such Quarter, the Truth of all or any of which several Accounts shall, if required by the Collector of Excise, be verified by the Affidavit or Examination upon Oath of such Brewers or Sellers of Beer and by such Retailers respectively, which Oath every such Collector is hereby authorized to administer.

Account signed
by Brewer to be
delivered to
Officer.

Oath.

III. And be it further enacted, That it shall be lawful for the Officer of Excise keeping an Account of the Stock of Spirituous

Quantity of
Spirits sold how
determined.

Retailer refusing
to be examined.

Certificate.

Bounty.

In what case
Collector may
refuse Certificate.

Liquors, Beer, Ale and Porter contained in any House, Warehouse, Shop or other Place of any such Retailer, to examine, as often as he shall deem it necessary, the Stock of Strong Beer, Ale or Porter, and the Stock of Spirits belonging to such Retailer, and the Increase and Decrease, and the Quantities thereof; and such Officer shall, at the time when he shall deliver to the Collector the Accounts received by him as aforesaid from any Retailer, deliver also to such Collector an Account of all Spirits which he shall have entered as received by such Retailer during the Quarter, with the Stock remaining on Hand; and the Decrease which shall appear in such Spirits during the Quarter, upon deducting the Quantity in Stock at the End of such Quarter from the total Amount of the Stock at the Commencement thereof, and of Spirits received during the Quarter, shall be considered to be the Quantity of Spirits sold by Retail during such Quarter, and the Collector shall proceed without any unnecessary Delay, after ascertaining the Quantities of Spirits sold, to determine the Proportion which the Strong Beer, Ale or Porter bears to the Spirits sold within such Quarter; and if on such Determination it shall appear that the Quantity of Spirits sold in any such Quarter shall exceed the Proportion of Four Gallons of Spirits to every Barrel containing Forty two Gallons of Strong Beer, Ale or Porter, or if the Stock of Spirits included in such Account, shall not appear to have been or to be fully and fairly protected by legal Permit or Certificate, or if any such Retailer shall refuse to be examined upon Oath by such Collector in manner herein enacted, such Retailer shall not be entitled to receive the Bounty aforesaid; but if it shall appear that the Quantity of Spirits so sold shall not exceed such Proportions aforesaid, and the whole of such Spirits shall be so protected, such Collector shall give to such Retailer a Certificate under his Hand of the Amount of the Spirituous Liquors, Strong Beer, Ale and Porter so sold by Retail by such Retailer within the Quarter preceding, ending on the Days respectively before mentioned, and of the Amount of Bounty payable after the Rate of Three shillings and Four pence *per* Barrel to such Retailer by virtue of this Act: and upon the Production of such Certificate to the Commissioners of Inland Excise and Taxes, it shall be lawful for the said Commissioners, or any Three of them, and they are hereby required, in case they shall be satisfied of the Truth of such Certificate, forthwith to pay or cause to be paid, out of any Revenues under their Management, such Bounty to such Retailer or to any Person whom such Retailer shall by Indorsement on such Certificate authorize to receive the same.

IV. Provided always, and be it enacted, That if the Collector shall see cause to suspect that more Spirits have been sold by Retail by any such Retailer than shall appear by such Accounts, or that such Retailer has included in his Accounts any Beer not sold by him by Retail, or sold by him otherwise than by Retail, it shall be lawful for such Collector to make such Enquiries as to the same, as such Collector shall think fit and proper, and to satisfy himself of the Truth of such Enquiries by the Oath of such Retailer, or by the Oath or Oaths of any other Person or Persons; and if such Collector shall be satisfied that Spirits have been sold by such Retailer in a greater Proportion than Four Gallons of Spirits for every Barrel of Beer, or that any Beer included in the Account of such Retailer was not sold by him by Retail, or was sold by him otherwise than by

by Retail, it shall be lawful for such Collector and he is hereby required to refuse to grant any Certificate to such Retailer, and such Retailer shall not be entitled to any Bounty under this Act.

And be it further enacted, That it shall and may be lawful for the said Commissioners of Inland Excise and Taxes, or any Three of them, from time to time to make such further and other Rules, Orders and Regulations with respect to the Payment of the Bounties by this Act given, and for the preventing of Frauds in the obtaining thereof, as the said Commissioners, or any Three of them, shall think fitting and expedient: Provided always, that such Rules, Orders and Regulations shall be approved of by the Lord High Treasurer of *Ireland*, or any Three of the Commissioners for executing the Office of Lord High Treasurer for the time being; and all such Rules, Orders and Regulations, when so made and approved, shall be obeyed and complied with by all Persons claiming such Bounties, and that no such Bounties shall be paid to any Person or Persons neglecting or refusing to comply with such Rules, Orders and Regulations, when so made and approved in manner aforesaid.

Commissioners
may make
Regulations
respecting
Bounty.

VI. And be it further enacted, That every Person licensed to brew Strong Beer, Porter, Ale or Small Beer for Sale, in *Ireland*, shall, within Twenty one Days after the Quarter ending on the Twenty fourth Day of *June* One thousand eight hundred and ten, and in like manner within Twenty one Days next after the Quarter ending on the Twenty ninth Day of *September*, and the Twenty fifth Day of *December* One thousand eight hundred and ten, and the Twenty fifth Day of *March* One thousand eight hundred and eleven, and within Twenty one Days after the like Quarter Days in each and every Year after the passing of this Act, make out and deliver at the Excise Office of the District within which such Brewer shall be licensed, a full and true Account in such Form as shall be directed by the Commissioners of Inland Excise and Taxes, in *Ireland*, stating the total Quantity of Strong Beer, Ale, Porter and Small Beer respectively sold within the Quarter preceding ending on each of the Days aforesaid by such Brewer, and delivered or consigned to each and every Person whatsoever in *Ireland*, or for Exportation, to whom such Brewer or other Person shall have sold strong Beer, Ale, Porter or Small Beer within such Quarter, distinguishing the Names, Places of Residence, Trade and Profession of every Person to whom such Beer shall have been so sold and delivered or consigned, the Price of all such Beer, Ale and Porter respectively which shall have been sold to Retailers; and if such Persons to whom such Beer shall be so sold shall live in any City or Town in *Ireland*, the Street, Square, Lane or Place in which such Person shall reside, and such Brewer, or some Clerk or Manager of such Brewer to be appointed by him for that Purpose, shall make Oath or Affirmation (in case of a known *Quaker*) to the Truth of every such Account, before the Collector of Excise of the said District, if thereunto required by such Collector; and if any such Accounts shall not be delivered within the said Space of Twenty one Days after the End of any Quarter ending on the Days before mentioned, or shall not be sworn or affirmed to, if required, the Brewer by whom or on whose Behalf, such Account ought to have been delivered or sworn, or affirmed to as aforesaid, shall forfeit the Sum of Fifty Pounds: Provided always, that whenever any such Brewer shall appoint any,
Clerk

Brewers to
deliver Quarterly
Returns of Beer
sold by them.

Oath.

Time of Delivery.

Penalty.

Clerk or Manager to make any such Oath or Affirmation, such Appointment shall be in Writing and signed by such Brewer, and delivered to the Collector of Excise of the District, and no Clerk or Manager of such Brewer not so appointed shall be admitted to make any such Oath or Affirmation; any thing hereinbefore contained to the contrary notwithstanding.

Perjury.

VII. And be it further enacted, That if any Person shall in any Affidavit or Affirmation required to be made by this Act swear or affirm falsely, every such Person shall be subject to the Pains and Penalties of Perjury according to the Laws in force in *Ireland*, and shall also forfeit all such Bounty and Bounties, and Sum and Sums of Money, as such Person or Persons would have been entitled unto in consequence of any such Affidavit or Affirmation, in case the same had been true.

C A P. XLVII.

An Act to extend and amend the Provisions of an Act made in the Thirty seventh Year of His present Majesty, for the Relief and Maintenance of Insolvent Debtors, detained in Prison in *Ireland*. [9th June 1810.]

37 G. 3.

(1.) c. 36. § 1.

‘ WHEREAS by an Act of Parliament made in *Ireland* in the Thirty seventh Year of His present Majesty’s Reign, intituled, *An Act for the Relief and Maintenance of Insolvent Debtors detained in Prison*, it is, amongst other things, enacted, That a Prisoner arrested on Mesne Process, in order to obtain the Benefit of said Act, must, before the End of the first Term which shall be next after any such Prisoner shall be committed under Mesne Process, exhibit his Petition for Relief: And whereas it is reasonable that every detaining Creditor or Creditors’ Debts or Demands should be ascertained by Verdict or Judgment before a Prisoner shall be obliged to give up his Property under the Provisions of said Act: And whereas Plaintiffs are not obliged by the Law or the Practice of the Courts in *Ireland*, either to file Declarations against Persons in Prison there on Mesne Process at their Suit, or to proceed to Trial or Judgment at any determinate time, unless compelled by such Prisoners to declare or go to Trial at considerable Expences to such Prisoners; by reason whereof and of their Inability to defray the same, many Prisoners have remained for several Years confined under Mesne Process only: And whereas Prisoners confined for Debt in *Ireland* are obliged to defend by Attorney, when Prisoners confined for Debt in *England* may defend in Person: And whereas there are no Liberties or Day Rules allowed to Prisoners confined for Debt in the Four Courts Marshalsea Prison in *Dublin*, similar to those enjoyed by Prisoners confined for Debt in the King’s Bench and Fleet Prisons in *England*:’ And whereas it is expedient to extend and assimilate the said Act to the Act commonly called the *Lords Act*, in *England*, as also the Law, Practice and Liberties, in regard to Prisoners confined for Debt in *Ireland*, with the Law, Practice and Liberties, in respect to Persons confined for Debt in *England*, in the Matters aforesaid, which if adopted may in a great Measure supersede the Necessity of frequent Insolvent Acts for *Ireland*: Be it therefore enacted by the King’s Most Excellent Majesty, by and with the Advice

32 G. 2. c. 28.

Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Act for Relief and Maintenance of Insolvent Debtors, as limits Prisoners confined on Mesne Process to exhibit their Petition for Relief before the End of the first Term which shall be next after any such Prisoner shall be committed under Mesne Process, shall be and the same is hereby repealed.

37 G. 3. (1.)
c. 36. § 1. re-
pealed.

II. And be it further enacted, That from and after the passing of this Act, in all cases where a Debtor is or shall be arrested, detained or charged in Custody by Mesne Process issuing out of the Courts of King's Bench, Common Pleas or Exchequer in *Ireland*, and the Plaintiff shall neglect to cause a Declaration against such Debtor to be delivered to such Debtor or to the Marshal of the Four Courts Marshalsea, or his Deputy, or to the Gaoler or Keeper of the Gaol or Prison where such Debtor is or shall be detained or charged in Custody, within Eight Days of the next Term after the Return of the Process by virtue whereof such Debtor is or shall be taken, detained or charged in Custody, or within Twenty one Days after the passing of this Act, such Debtor shall be discharged out of Custody by Order of the said Court, or a Judge of the said Court out of which said Process issued; and in case of a Commitment or Surrender to the Marshal in discharge of Bail after the Return of the Process and before a Declaration to be delivered as aforesaid, unless a Declaration be delivered to such Debtor within the first Eight Days of the Term next after such Commitment or Surrender shall be made, such Debtor shall be discharged out of Custody in manner aforesaid.

Within what
time Declara-
tions to be de-
livered;

III. And be it enacted, That in all cases where a Declaration shall be filed against such Debtor in manner aforesaid, such Debtor shall be discharged out of Custody by Order of the Court out of which such Process issued, or by Order of a Judge of the said Court, unless the Plaintiff shall proceed to Trial or Judgment before the End of the first Eight Days of the Third Term after such Declaration shall be delivered, the Term in which such Declaration shall be delivered to be counted as one; but in case the *Venue* shall be laid in the County of the City of *Dublin*, or the County of *Dublin*, that then, and in that case, the Plaintiff shall proceed to Trial or Judgment within the Term next after the Delivery of such Declaration or in the Sittings after such Term: otherwise that such Prisoner shall be discharged in manner aforesaid.

and Trial had.

IV. And be it further enacted, That in all Cases where the Plaintiff has obtained a Verdict or Judgment against any Prisoner, such Plaintiff shall charge such Prisoner in Execution within the First Eight Days of the next Term after the obtaining such Verdict or Judgment; and in case of Failure in so doing such Prisoner shall be discharged in manner aforesaid.

Charging Pri-
soners in Execu-
tion.

V. And be it further enacted, That such Prisoner charged in Execution may, before the End of the first Term which shall be next after such Prisoner shall be charged in Execution, exhibit a Petition to any Court of Law, from which such Process issued, or by the Authority of which such Prisoner may have been removed by *Habeas Corpus* into the Custody of the Marshal of the Four Courts Marshalsea, for the Benefit of the said Maintenance Act; any thing in the

Application for
Maintenance.

Debts not to exceed 500l.

When Prisoners may petition for Discharge.

Objections to Discharge how made.

Weekly Allowance to Prisoners incarcerated.

Confinement of Prisoners receiving Weekly Allowance.

the said Act to the contrary notwithstanding: Provided the Amount of his or her Debts for which he or she shall be detained in Custody shall not exceed the Sum of Five hundred Pounds.

VL And be it further enacted, That every Prisoner who shall be charged in Execution in any Prison or Gaol in *Ireland*, for any Sum or Sums of Money not exceeding in the Whole the Sum of Five hundred Pounds, and who shall be willing to satisfy their respective Creditors as in and by the said Act is directed, may, before the End of the Term which shall be next after any such Prisoner shall be charged in Execution, or within Twenty Days after the passing of this Act, exhibit his or her Petition to the Court out of which such Process issued, or by the Authority of which such Prisoner may have been removed by *Habeas Corpus*, into the Custody of the Marshal of the Four Courts Marshalsea, or rendered in discharge of his or her Bail for the Benefit of the said Act.

VII. Provided always, and be it further enacted, That the Truth of each of the Objections against the obtaining the Benefit of this Act, shall be proved by the Testimony upon Oath of One or more credible Witnesses or Witnesses, besides the Testimony upon Oath of the Person or Persons making such Objections, or other legal Proof or Evidence admissible in a Court of Law; and that no Person, except a detaining Creditor, or such Person or Persons as have commenced their Action or Actions against a Prisoner previous to the making such Objections, shall be permitted to oppose the Discharge of any Prisoner seeking Relief under this Act.

VIII. And be it further enacted, That from and after the passing of this Act, if any Prisoner shall be remanded at the Instance of the Plaintiff or Plaintiffs, the said Plaintiff or Plaintiffs shall pay such Prisoner the Weekly Sum of Three Shillings and Ten pence for his or her Maintenance, instead of the Sum of Two Shillings and Four pence allowed by the said Act, and under the same Terms, Conditions and Clauses, as are in and by the said Act directed, in regard to the Payment of Two Shillings and Four pence a Week therein mentioned; and also that the said Sum of Three Shillings and Ten pence shall be paid to every such Prisoner, before the Hour of Twelve of the Clock on the *Monday* of each Week, or in failure thereof the Marshal of the Four Courts Marshalsea, and any One Alderman or other Justice of the Peace for the City of *Dublin*, on Affidavit of the Deputy Marshal or Henchman belonging to said Marshalsea, which Oath every such Alderman or Justice is hereby empowered and required to administer, of the Neglect or Failure of the Payment of the said Weekly Sum, shall and is hereby required to discharge the said Prisoner; any thing herein contained to the contrary notwithstanding.

IX. And be it further enacted, That no Creditor causing a Prisoner to be remanded on merely an Undertaking to pay the said Weekly Sum, shall have Power to detain the said Prisoner in Confinement longer than Three Terms, but that the said Prisoner may, on the last Day of the said Term that such Maintenance shall have been paid to him or her, produce to the Court from whence he or she shall have been committed, a Certificate of his or her having been detained by the Payment of the said Weekly Sum, signed (and verified on Oath if required) by the Marshal or his Deputy, and be discharged by the Court from same.

‘ X. And

' X. And whereas Prisoners are often remanded at the Instance of Attornies employed against them, alledging that the Plaintiffs live in a remote Part of the Kingdom, and that they had not time to communicate with said Plaintiffs ;' Be it therefore enacted, That in all such cases where the Court shall think fit to remand the Prisoner, the said Attorney shall deposit with the Marshal a Sum of Money sufficient to pay the Prisoner One Shilling *per* Day for his or her Maintenance, until he or she shall be again brought up to receive the Judgment or Decision of the said Court.

Allowance to Prisoners remanded on Application of Attornies.

XI. Provided always, and be it enacted, that nothing in this Act shall be construed to extend to the Release or Discharge of any Attornies or Servants embezzling Money, except where any such Person shall have been confined in Prison Ten Years.

Attornies &c. embezzling.

' XII. And whereas many Persons are often committed by the Courts of Law and Equity for Contempts, for not paying Money ordered or awarded to be paid, and also for not paying of Costs duly and regularly taxed and allowed by the proper Officer, after proper Demands made for that Purpose, and also upon the Writ of *Excommunicato Capiendo* or other Process for or grounded on the Non-payment of Money, Costs or Expences, in some Cause or Proceeding in some Ecclesiastical Court, or for Contempt to such Court relating thereto ;' it is hereby declared and enacted, That all such Persons are and shall be entitled to the Benefit of this Act, in like manner as herein is expressed and declared with respect to Prisoners for Debt only.

Prisoners for Contempt.

XIII. And be it further enacted, That every Prisoner confined for Debt in *Ireland*, may plead and defend in his proper Person without Attorney.

Prisoners may defend in Person.

XIV. And be it further enacted, That where any Debtor shall have neglected to take the Benefit of the said Act within the time limited by the said Act, and shall make it appear to the Court out of which such Execution issued, that such Neglect arose from Ignorance or Mistake, such Debtor shall be entitled to the Benefit of this Act, as if he or she had petitioned for the Benefit of the said Act within the time by the said Act limited ; any thing in the said Act contained to the contrary notwithstanding.

Prisoners not having taken Benefit of recited Act.

XV. And be it further enacted, That all Gaolers and Keepers of Prisons in *Ireland* shall and they are hereby directed and required to give notice of this Act to all Prisoners in their Custody for Debt, within Three Days after such Prisoners shall have been respectively committed or charged in Execution ; and if any Gaoler or Keeper of a Prison in *Ireland* shall neglect to give such Notice, he shall forfeit and pay to any Person who shall sue for the same, the Sum of Fifty Pounds, to be recovered by him or her by Action of Debt in any of His Majesty's Courts of Record in *Ireland* ; and in every such Action the Proof shall lie on the Person against whom the same shall be brought ; Provided nevertheless that such Action shall be brought within Twelve Calendar Months after the Cause of Action incurred.

Gaolers to inform Prisoners of Act.

Penalty.

Limitation of Action.

C A P. XLVIII.

An Act to repeal Three Acts, made in the Twenty eighthth, Thirtieth and Forty sixth Years of His present Majesty, for limiting the Number of Persons to be carried on the Outside of Stage Coaches or other Carriages, and to enact other Regulations for carrying the Objects of the said Acts into Effect.

[9th June 1810.]

28 G. 3. c. 37.

30 G. 3. c. 36.

46 G. 3. c. 136.

repealed.

Number of Outside Passengers, &c.

Proviso.

Long Coaches.

‘ WHEREAS an Act was passed in the Twenty eighth Year of the Reign of His present Majesty, intituled, *An Act for limiting the Number of Persons to be carried on the Outside of Stage Coaches or other Carriages*: And whereas another Act was passed in the Thirtieth Year of His present Majesty, intituled, *An Act to alter, explain and amend an Act, made in the Twenty eighth Year of the Reign of His present Majesty, intituled, An Act for limiting the Number of Persons to be carried on the outside of Stage Coaches or other Carriages, and for regulating the Conduct of the Drivers and Guards thereof*: And whereas another Act was passed in the Forty sixth Year of the Reign of His present Majesty, intituled, *An Act to alter and amend two Acts made in the Twenty eighth and Thirtieth Years of His present Majesty, for limiting the Number of Persons to be carried on the outside of Stage Coaches or other Carriages, and regulating the Conduct of the Drivers thereof*: And whereas the Regulations and Penalties established and imposed by the said recited Acts have proved insufficient to answer the useful and important Purposes thereby intended; and it is expedient to repeal the same, and to enact other Provisions and Regulations for carrying the Objects of the said Acts into Effect:’ May it therefore please Your Majesty that it may be enacted; and be it enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, the said several Acts shall be and the same are hereby repealed.

II. And be it further enacted, That, from and after the passing of this Act, any Coach, Berlin, Landau, Chariot, Diligence, Calash, Chaise Marine, or other Carriage with Four or more Wheels, by what Name soever the same is or shall hereafter be called or known, to be employed as a publick Stage Coach or Carriage, for the Purpose of conveying Passengers for Hire to and from different Places in *Great Britain*, and drawn by Four or more Horses, shall be allowed to carry Ten Outside Passengers and no more, exclusive of the Coachman, but including the Guard, where there is a Guard with such Coach or other Carriage; and that One Passenger and no more shall be allowed to sit upon the Box¹ with the Coachman, and Three of such Passengers on the Front of the Roof, and the remaining Six behind, in the manner the most safe and convenient for the said Passengers: Provided always, that no such Passenger or Passengers shall be allowed to sit on the Luggage, or that Part of the Roof allotted for the same; and that all Stage Coaches or other Carriages above described, drawn by Two or Three Horses, shall be allowed Five Outside Passengers and no more, exclusive of the Coachman; and that all Stage Coaches called *Long Coaches* or *Double-bodied Coaches*,

Coaches, shall be permitted to carry Eight Outside Passengers and no more, exclusive of the Coachman, but including the Guard; where there is a Guard with such Coach, under such Fines or Penalties as are by this Act imposed, in Cases where more Outside Passengers are carried than are allowed by this Act; such Fines and Penalties to be imposed and levied upon the Owner or Proprietor, or the Owners or Proprietors of any such Coach or other Carriage above described, or any One or more of them, or any Person driving the same, in the manner after mentioned: Provided always, that no Child in the Lap, or under Seven Years of Age, shall be included in or counted as One of such Number, unless there shall be more than One; and if more than One, that Two of such Children shall be accounted equal to One grown Person, and so on in the same Proportion; and that no Person paying as an Outside Passenger shall be permitted to sit or remain as an Inside Passenger, unless with the Consent of One of the Inside Passengers at the least conveyed by such Coach or other Carriage, and next to whom such Outside Passenger shall be placed: and provided also, that where such Coach or other Carriage is of a Construction peculiarly wide or commodious, and being so found shall be duly licensed for that Purpose, Four Outside Passengers instead of Three shall be allowed to sit on the Front of such Coach or other Carriage: Provided always, that the Number of Outside Passengers shall not exceed Ten in all.

Penalties.

Children.

Outside Passengers sitting inside.

Front.

Height and Bearing of Coach.

III. Provided always, and be it further enacted, That from and after the First Day of *March* One thousand eight hundred and eleven, it shall not be lawful for any Driver, Owner or Proprietor of any Coach or other Carriage above described, going or travelling for Hire, to permit or suffer in any manner or way any Luggage to be carried on the Roof of any such Coach or other Carriage, or any Person to ride or go as an Outside Passenger on or about the Outside of any such Coach or other Carriage, the Top of which shall be more than Eight Feet Nine Inches from the Ground, or the Bearing of which on the Ground shall be less than Four Feet Six Inches from the Centre of the Track of the Right or Off Wheel, to the Centre of the Track of the Left or Near Wheel, under the Penalty of Five Pounds for each Offence, to be recovered and applied in the same manner as any Penalty for more Outside Passengers than are allowed by this Act can be recovered and applied.

Penalty.

IV. And be it further enacted, That from and after the passing of this Act, it shall not be lawful for any Driver, Owner or Proprietor of any such Coach, Mail Coach, or other Carriage above described, going or travelling for Hire, to carry or permit or suffer any Parcel or Parcels, or Luggage whatever, exceeding Two Feet in Height, to be conveyed on the Roof of any such Coach, Mail Coach, or other Carriage above described, drawn by Four or more Horses; and where Carriages are drawn by Two or Three Horses, then such Luggage not to exceed Eighteen Inches above the Roof; and every such Driver so offending, and any Owner or Proprietor of any such Coach or other Carriage, where such Driver is not known or cannot be found, being convicted of such Offence, either by his or her own Confession, the View of a Justice of the Peace or other Magistrate, or the Oath or Oaths of One or more credible Witnesses or Witnessess, before any Justice of the Peace or other Magistrate acting in and for the County, Riding, City, Town, Division

Luggage exceeding a certain Height.

Penalty.

Penalty.

Passengers sitting
on Packages.

Penalty.

Place for Luggage
separate.Measuring
Luggage.

Penalty.

Height of Luggage
proportional.Number of Passengers
permitted
specified in
Licence;

Division or Place where any Offence shall be committed, (which Oath every such Justice or other Magistrate is hereby authorized and required to administer) shall forfeit and pay the Sum of Five Pounds for every Inch above the Space of Two Feet or of Eighteen Inches respectively above allowed; and in case the Driver so offending shall be the Owner of such Coach, Mail Coach, or other Carriage above described, he shall forfeit the Sum of Ten Pounds for every Inch above the Spaces respectively above allowed; and in default of Payment of the said Penalties respectively, the Person and Persons so offending shall be committed to the Common Gaol or House of Correction of the County, Riding, City, Town, Division or Place where such Offence shall have been committed, there to remain without Bail or Mainprize for the Space of Two Months, unless such Penalties shall be sooner paid: Provided always, that all Packages hereinbefore described, shall be so placed on the Roof of such Coach, Mail Coach or other Carriage above described, as that no Passenger or Passengers shall sit thereon, under the Penalty of Fifty Shillings for each Offence; to be paid by such Passenger or Passengers respectively, and to be recovered and applied in the same manner as the other Penalties imposed by this Act, and that the Division or Space on the Top of the Coach or other Carriage aforesaid allotted for Luggage, shall be distinctly separated from the other Part of the Top of such Coach or other Carriage, by some Railing or otherwise; and in case any such Driver or Owner or Part Owner, when required so to do, shall refuse to permit the said Carriage and Luggage to be measured by any Justice of the Peace, Magistrate, Constable, Surveyor of any Highway or Turnpike Road, Inspector of Coaches duly authorized by the Commissioners of Stamps or Passenger, he shall forfeit the like Penalty, to be recovered and applied in the manner hereinafter specified.

V. And whereas it is expedient to lower the present Height of Stage Coaches, in which case a greater Height of Luggage than Two Feet might be safely permitted to be carried on the Outside thereof; Be it therefore enacted, That it shall be lawful to carry any Luggage, Parcel or other Package in manner hereinbefore provided for, on the Roof of any Coach or other Carriage above described of a greater Height than Two Feet; Provided such Luggage, Parcel or other Package be not a greater Height from the Ground, including the Height of such Coach, than Ten Feet Nine Inches.

VI. And be it further enacted, That in every Licence to be taken out by any Person who shall keep any Carriage, to be employed as a publick Stage Coach or other Carriage above described, for the Purpose of conveying Passengers for Hire to and from different Places in *Great Britain*, shall be specified the Number of Outside Passengers to be carried on or about the Outside of such Coach or other Carriage above described, as well as the Number of Inside Passengers to be carried therein as now by Law directed; and that no such Licence shall in future be granted for more than the Number of Inside and Outside Passengers in all allowed by Law, and that such Licence shall contain the Name or Names and the Places of Abode of every Individual to whom such Coach or other Carriage shall belong, a Copy of which Licence shall be accessible at the Board or Office where such Licence is issued, to any Person or Persons applying either for a Copy of or for the Perusal of the same.

VII. And

VII. And be it further enacted, That all and every Person or Persons who shall be duly licensed to keep any Coach or other Carriage above described, for the Purpose of conveying Passengers for Hire to and from different Places in *Great Britain*, (Mail Coaches always excepted) shall, and he, she or they is and are respectively directed and required to paint or cause to be painted within Six Months from the passing of this Act, on the Outside of each Door of each such Coach or other Carriage above described, or on some other conspicuous Part thereof, in legible Characters of at least One Inch in length, and in a different Colour from the Ground on which the same is painted, and in Words at Length, the Number of outside Passengers which the Licence obtained for such Carriages respectively shall specify or express, (as well as and in like manner as the Number of Inside Passengers as now by Law directed), together with the Name or Names of the Person or Persons or the Company of Proprietors or Firm to whom such Coach or other Carriage shall belong: Provided always, that it shall be lawful for any Board of Commissioners by whom such Licence shall be granted, to require instead of such Inscription that a Plate made of Brass or other Metal shall be fixed on the Side of each Coach or other Carriage above described, with the Name or Names of the Person or Persons or the Company of Proprietors or Firm, and a distinct Number for each, to the end that the Owner or Owners and Driver of such Coach or Carriage shall be known; and if any Person, Company of Proprietors or Firm, shall be licensed to keep more than One Coach, every One of them shall have several Numbers or other Marks of Distinction in the same manner as if they did belong to several Persons; and if any Person shall blot out, obliterate, alter or deface the Number, Figure or Mark of Distinction appointed by the said Commissioners, he shall forfeit Five Pounds for every such Offence; and if any Person or Persons shall employ or make use of any such Carriage as aforesaid, for carrying any Outside Passengers for Hire to and from different Places in *Great Britain*, without being licensed so to do, or without having the said Words and Number and Name or Names painted on the Outside of each Door of such Carriage, or in such other conspicuous Part thereof, and in such manner as is hereinbefore directed, or shall at any time carry more Outside Passengers than shall be specified or expressed in the Licence for using such Coach or other Carriage, and by the Words so painted on the Outside of such Doors or other conspicuous Part of such Carriage or the numbered Plate, every Person so offending shall for each and every Offence forfeit and pay the Sum of Ten Pounds for each Outside Passenger beyond the Number hereby allowed, and Double that Sum if the Driver or Coachman be also Owner or Part Owner, to be recovered and applied in the same manner as any other Penalty imposed by this Act can be recovered and applied; and every such Inscription or Plate, as the case may be, to be considered sufficient Evidence of the Parties to whom such Coach or other Description of Carriage above enumerated doth belong, being Owner or Proprietor thereof.

to be painted
on Doors of
Coach.

Commissioners
may order a
Brass Plate on
Side of Coach,
with the
Owner's Name,
&c.

Defacing, &c.
Penalty.

Using Carriage
without Licence,
&c.

Penalty.

Evidence.

VIII. And be it further enacted, That in case the Driver of any such Coach or other Carriage above described, going or travelling for Hire, and conveying a greater Number of Persons in any manner or way in the Inside, or on or about the Outside of any such

Owners liable
to Penalties if
Drivers not
found.

Coach or other Carriage above described than are allowed by this Act, or permitting more than One Passenger to sit upon the Box, (which Box shall be so constructed as not conveniently to hold more than One Passenger besides the Coachman) shall not be known, or being known cannot be found, then, and in every such case, the Owner or Owners, Proprietor or Proprietors, or any of them, of any such Coach or other Carriage above described, shall be liable to all such Fines and Penalties as if such Owner or Owners, Proprietor or Proprietors had been the Driver only of any such Coach or other Carriage above described, at the time that such Offence was committed: Provided always, that if any such Owner or Proprietor shall make out to the Satisfaction of the Justice of the Peace or other Magistrate above mentioned before whom any such Information shall be laid, by sufficient Evidence not resting on his own Testimony, that the Offence was committed by the Driver of the Coach or other Carriage without his Privity or Knowledge, and that no Profit, Advantage or Benefit, either directly or indirectly, has accrued or could or would have accrued to such Owner or Proprietor therefrom, but that such Offence was committed against this Act by such Driver in violation of his Duty to the Owner or Proprietor, as well as against the Provisions of this Act, such Justice of the Peace or other Magistrate above mentioned shall discharge the Owner or Proprietor from such Penalty and Expence and levy the same upon the Driver only, when found; and such Driver, unless he pays the Penalty for which he is liable in consequence of such Offence, shall be committed to the Common Gaol or House of Correction of the County, Riding, City, Town, Division or Place where such Offence shall have been committed, there to remain without Bail or Mainprize, for any time not exceeding Six Months nor less than Three Months, at the Discretion of the Justice or other Magistrate above mentioned, by or before whom any such Offender shall be convicted.

IX. And be it further enacted, That any Summons issued by any Justice of the Peace or other Magistrate above mentioned, commanding any Driver, Owner or Proprietor of any Coach or other Carriage above described, or any Person or Persons or Company of Proprietors or Firm of any Company to whom such Coach or other Carriage above described shall belong, to appear before him at such Time or Place as to such Justice or other Magistrate above mentioned shall seem meet, for any Offence committed against this Act, or a Copy thereof, shall be deemed to be well and sufficiently served, in case either the Original or a Copy of such Summons be left with the known or acting Book-keeper for such Coach or other Carriage above described, in any Town or Place into or through which any Driver offending as aforesaid shall drive such Coach or other Carriage.

X. And be it further enacted, That the Driver of any such Coach, Mail Coach, or other Carriage above described, going or travelling for Hire, stopping at any Place or Places where Assistance can be procured, shall not quit his Horses or the Box of such Coach or other Carriage above described, until a proper Person or Persons shall be employed to hold the Horses or Fore Horses, whilst such Carriage stops, so as to prevent them from running away, and shall have actual Hold of such Horses, and that such Person or Persons shall hold the same until the Driver has returned to his Box, or until the Post-boy

Owners relieved
from Penalties.

Driver not
paying.

Imprisonment.

Summons.

What good
Service.

Drivers leaving
their Horses, &c.

boy who rides one of the Horses is again mounted, and has in his Hands the Reins for guiding the said Horses, and if such Driver or such Person or Persons shall neglect so to do, he or they being duly convicted thereof by his or their Confession, the View of a Justice or other Magistrate above mentioned, or by the Oath of One or more credible Witnesses or Witnesses taken before any Justice or other Magistrate above mentioned, shall be subject to and forfeit and pay a Penalty of not less than Ten Shillings nor more than Five Pounds for each Offence: Provided nevertheless, that nothing in this Section or Clause contained shall extend, or be construed to extend, to Hackney Coaches being drawn by Two Horses only.

Penalty.

XI. Provided nevertheless, and be it further enacted, That in case the Driver of any such Coach, Mail Coach or other Carriage above described, or the Person acting as Guard, shall, by Intoxication or by Negligence or other Misconduct (unavoidable Accidents always excepted), endanger the Safety of the Passengers in their Lives, their Limbs or their Property, or shall not give due Care or Protection to any other Property with which such Driver or Guard or either of them may be entrusted; or if any Driver of any Mail Coach, or any Guard, shall loiter on the Road or wilfully mispend or lose Time so as to retard the Arrival of His Majesty's Mails at the next Stage; or if the Driver of any Mail Coach shall not, in all possible cases, convey such Mails at the Speed of such a Number of Miles an Hour as are fixed by the Postmaster General for the Conveyance thereof, unless the Circumstances of the Weather or the Badness of the Roads, or the Occurrence of any Accident to the Coach or Horses, shall prevent the same; or if any Driver or Guard of any such Coach, Mail Coach or other Carriage, shall not duly account to his or their Employers or Persons authorized by them to account with such Driver or Guard for all Monies received by him, them or either of them, in respect of any Passenger or Parcel conveyed or taken by such Coach or other Carriage above described, then and in every such case the Driver or Guard (as the case may be) so offending, and being convicted thereof by his own Confession, the View of a Justice (in any case applicable thereto), or the Oath or Oaths of One or more credible Witnesses or Witnesses, before any Justice or other Magistrate above mentioned, shall forfeit and pay a Sum not less than Five Pounds, nor more than Ten Pounds for every such Offence, and shall return the Sum or Sums of Money so embezzled; and in case of Non-payment every such Justice or other Magistrate above mentioned are hereby authorized to commit such Offender to the Common Gaol or House of Correction for the County, Riding, City, Town, Division or Place where such Offence shall have been committed, there to remain without Bail or Mainprize, for any time not exceeding Six Months nor less than Three Months, at the Discretion of the Justice or other Magistrate above mentioned, by or before whom any such Offender shall be convicted.

Drivers, &c. intoxicated or retarding Mails, not accounting, &c.

Penalty.

Imprisonment.

XII. And be it further enacted, That in case the Driver or Guard of any such Coach or other Carriage above described, shall use abusive or insulting Language to any Passenger, or shall insist on and exact more than the Sum to which he is legally intitled, then, and in every such case, the Driver or Guard (as the case may be) so offending, and being convicted thereof by his own Confession, or the Oath or Oaths of One or more credible Witnesses or Witnesses, before any Jus-

Driver, &c. insulting or exacting from Passengers.

tice

Penalty.

tice or other Magistrate above mentioned, shall forfeit and pay a Sum not less than Five Shillings nor more than Forty Shillings for every such Offence; and in case of Non-payment, every such Justice or other Magistrate above mentioned are hereby authorized to commit such Offender to the Common Gaol or House of Correction of the County, Riding, City, Town, Division or Place where such Offence shall have been committed, there to remain without Bail or Mainprize, for any time not exceeding One Month nor less than Three Days, at the Discretion of the Justice or other Magistrate above mentioned, by or before whom any such Offender shall be convicted.

Peace Officers
neglecting
to execute
Warrants.

XIII. And be it further enacted by the Authority aforesaid, That if any Constable or other Peace Officer shall refuse or neglect to execute any Warrant granted by any Justice of the Peace or other Magistrate above mentioned, pursuant to the Directions of this Act, every such Person so offending, and being convicted thereof before One or more Justice or Justices of the Peace or other Magistrate or Magistrates above mentioned, either by his own Confession or upon the Oath of One or more credible Witnesses or Witnesses, which Oath such Justice or Justices or other Magistrate or Magistrates above mentioned, is and are hereby authorized and required to administer), shall, for every such Offence, forfeit and pay the Sum of Five Pounds; and in case the Person so convicted doth not forthwith pay or secure to be paid the said Penalty, then it shall be lawful for such Justice or Justices of the Peace or other Magistrate or Magistrates above mentioned, to commit such Person to the Common Gaol or House of Correction of the County, Riding, City, Town, Division or Place where such Offence shall be committed, there to remain without Bail or Mainprize for any time not exceeding One Month, unless the said Penalty shall be sooner paid.

Penalty.

Imprisonment.

Passenger may
require Toll
Collector to
count Number
of Passengers
and measure
Height of Luggage.

XIV. And be it further enacted by the Authority aforesaid, That, from and after the passing of this Act, if the Driver of any Coach or other Carriage above described, drawn by Two or more Horses and going or travelling for Hire, shall permit or suffer more than One Person on the Coach Box besides himself, and a greater Number of Outside Passengers than according to the Numbers allowed by this Act to be carried or conveyed by any such Coach or Carriage above described respectively, it shall be lawful for any Outside or Inside Passenger who shall have been regularly booked, and who has actually paid for his Place, if conveyed by such Coach or other Carriage, to require the Driver to stop such Coach or Carriage at any Toll or Turnpike Gate, and to require the Collector of the Toll at such Gate to count the Number of Passengers, or measure or ascertain the Height of the Luggage upon such Coach or other Carriage; and if any such Driver shall refuse upon the Demand of any such Passenger to stop any such Coach or Carriage, or to permit or suffer the Collector at such Toll or Turnpike Gate who shall be so required by any such Passenger, to count the Number of Passengers and ascertain the Height of the Luggage, or to make such Examination, then, in every such case, the Driver of such Coach shall forfeit the Sum of Five Pounds for every such Refusal, and shall, if more Passengers shall have been carried on such Coach, or the Luggage shall exceed the Height allowed by this Act, forfeit for every such Offence, the committing whereof shall have been prohibited as aforesaid, double the Penalty imposed by this Act for such

Driver refusing.

Penalty.

Double Penalty.

such Offence, the One Half of such Penalty to belong to the Toll Collector for his Trouble, and the other Half to the Passenger; and if any Toll Collector, upon being so required by any such Passenger, shall neglect or refuse to make such Examination, he shall forfeit and pay the Sum of Five Pounds for each Offence, to be levied and applied in the same manner as the other Penalties imposed by this Act; and if any Person or Persons shall endeavour to evade such Examination, by descending from such Coach or other Carriage above described, previous to its reaching any Turnpike Gate, and re-ascending after it has passed such Turnpike Gate, he shall forfeit and pay the Sum of Ten Pounds, to be recovered in the same manner as the other Penalties hereby imposed.

Collector
refusing.
Penalty.

Passenger
evading.

Penalty.

XV. And be it further enacted, That, from and after the passing of this Act, if the Coachman or Person having the Care of any Coach, Mail Coach, or other Carriage above described, shall permit or suffer any other Person without the Consent of a Proprietor, or against the Consent of the Passengers, to drive the same, or shall quit the Box without reasonable Occasion, or for a longer Space of Time than such Occasion may require (although the Reins for guiding or driving the Horses be left for the time in the Hands of the Passenger on the Box), or if the Coachman or Person having the Care of any Coach, Mail Coach or other Carriage above described, shall, by furiously driving or by any Negligence or Misconduct, overturn the Carriage, or in any manner endanger the Persons or Property of the Passengers, or the Property of the Owners or Proprietors of such Carriage (unavoidable Accidents always excepted), every such Coachman or Person as aforesaid so offending, shall, for every such Offence, forfeit and pay any Sum not exceeding Ten Pounds nor less than Five Pounds, to be levied and applied in the same manner as the other Penalties imposed by this Act.

Coachmen per-
mitting other
Persons to drive.

Furious Driving,
&c.

Penalty.

XVI. And be it further enacted, That in all cases where any Penalties and Forfeitures incurred for any Offence committed against this Act, shall and may be recoverable before One or more Justices of the Peace, or before any other Magistrate above mentioned, every such Justice or other Magistrate above mentioned, is hereby required to administer an Oath, and upon Proof of any such Offence, shall give Judgment or Sentence for the Forfeiture or Penalty incurred, and for the reasonable Costs and Charges of the Prosecution; and if the same shall not be paid, shall commit the Person or Persons so convicted to the Common Gaol or House of Correction for the said County, Shire, Borough, Town Corporate or Place for any time not exceeding Three Months nor less than One Month, at the Discretion of the said Justice or other Magistrate above mentioned, unless such Person or Persons shall enter into such Recognizance with such Surety before such Justices or Justice, or other Magistrate as hereinbefore mentioned.

Penalties how
recovered.

XVII. And be it further enacted, That if any such Justice, or other Magistrate above mentioned, before whom any Person shall have been convicted for any Offence against the Provisions of this Act, shall see cause to mitigate such Penalty, every such Justice, or other Magistrate above mentioned, may mitigate or lessen the same to any Sum not exceeding One Moiety of the Penalty or Forfeiture incurred, over and above all reasonable Costs and Charges expended or incurred in the Prosecution; and that One Half either of the Whole or of the

Mitigation.

How applied.

the Moiety of such Penalty, with the said Costs and Charges, shall be paid to the Informer for his own Beheof, or to be at his Disposal for Publick Purposes except in the Special Cases above provided for, and the other Half shall be paid to the Trustees of the Roads where such Offence is committed, who are hereby required in consideration thereof to direct their Surveyors to watch over the due Execution of this Act, in the several Roads to the Superintendence of which they are respectively appointed.

Guard firing
except for De-
fence.

Penalty.

Where no speci-
fic Penalties,
Justices may
impose them.

XVIII. And be it further enacted, That if any Person going or travelling as a Guard to any Coach, Mail Coach, or other Carriage above described, shall fire off the Arms he is entrusted with, either while such Coach or other Carriage is going on the Road or going through or standing in any Town, otherwise than for the Defence of such Coach or other Carriage, or the Passenger or Passengers therein, every such Person shall, for every such Offence, forfeit and pay the Sum of Five Pounds, to be recovered and applied in the same manner as the other Penalties imposed by this Act.

XIX. And be it further enacted, That in case any Person or Persons committing any Offence against the Provisions of this Act, for which no specific Penalties shall have been provided, he, she or they shall forfeit and pay, at the Discretion of One or more Justices of the Peace or of any other Magistrate above mentioned, any Sum not exceeding Ten Pounds, nor less than Fifty Shillings, upon being convicted thereof on the Oath or Oaths of One or more credible Witness or Witnesses, before any Justice of the Peace or other Magistrate above mentioned, acting in and for the County, Riding, City, Town, Division or Place where the Offence shall have been committed, or by any other Justice of the Peace residing in any County, Riding, City, Town, Division or Place in which the Offender shall then actually be present, upon full and satisfactory Proof being exhibited before such Justice of the Peace or other Magistrate above mentioned, on the Oath of One or more credible Witness or Witnesses (which Oath or Oaths as well the Justice of the Peace or other Magistrate above mentioned acting in and for the County, Riding, City, Town, Division or Place where the Offence shall have been committed, as such Justices and other Magistrates above mentioned as shall be resident in the County, Riding, City, Town, Division or Place where the Offender shall actually be present, are hereby authorized and required to administer); and in default of Payment of the Penalty which shall have been awarded on the Conviction of such Offender, he shall for every such Offence be committed to the Common Gaol or House of Correction of the County, Riding, City, Town, Division or Place where such Offence shall have been committed, or of the County, Riding, City, Town, Division or Place where he shall actually be present (as the case may be) there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months nor less than Five Days, at the Discretion of the Justice or Justices by or before whom such Offender shall be convicted.

Conniving at
Offences.

XX. And be it further enacted, That if any Person or Persons shall receive any Sum or Sums of Money for conniving at any Offence prohibited by this Act, either for any single Offence or for a Number of such Offences, or by Stipulation or Agreement by the Day, the Week, the Year, or any other Period of Time, and shall be duly convicted thereof before One or more Justices, or before any other

Magistrate

Magistrate above mentioned, he, she or they shall forfeit the Sum of Fifty Pounds for each Offence, and in default of the Payment thereof shall be committed to any House of Correction for any Period not exceeding Three Months nor less than One Month.

Penalty.

XXI. And whereas it would materially contribute to the Safety of Passengers if a great Part of the Luggage usually conveyed by Stage Coaches were conveyed in a much lower Position than is generally the case at present, and the same Restrictions in regard to the Number of Outside Passengers on such Stage Coaches would not be so requisite, provided no Luggage was carried by them, except in the manner hereinafter mentioned; Be it therefore further enacted, That all Stage Coaches, (Long Bodied Coaches included) carrying no Parcels or Luggage whatsoever, excepting in the Inside or in the Front Boot thereof, or in a Boot behind or under the Body of such Carriage; and where the Top of such Boot behind, when the Coach is empty, is not more than Six Feet from the Ground, having obtained a special Licence for that Purpose, and having the Name of the Owner or Owners, and the Number of Outside and Inside Passengers thereby allowed painted or inscribed thereon, shall be permitted to carry Two Outside Passengers more than the Number of Outside Passengers hereby limited with respect to other Coaches or Carriages above described, without subjecting the Drivers, Owners or Proprietors of such Coaches or other Carriages to any of the Penalties, Forfeitures, Fines or Punishments imposed or authorized to be imposed by this Act; any thing herein contained to the contrary notwithstanding.

What Carriages may carry additional Number of Passengers

XXII. And be it further enacted, That any Prosecution for any Offence committed against the Provisions of this Act, shall be commenced within the Space of Fourteen Days after the Offence shall have been committed, and that there shall be but one Recovery for the same Offence, except where the Owner or Owners of Stage Coaches or other Carriages above described, are required to paint their Names or Name or Sign, and to preserve the same in a clear or legible State, in which case such Prosecution may be commenced at any time, and any Neglect in remedying the same for the Space of One Month shall be considered a new Offence.

Limitation of Actions.

XXIII. And whereas a certain Number of Hackney Coaches work by Permission as stated Stages, and which as well as other Hackney Coaches are licensed by and have been hitherto under the Regulations and Controul of the Commissioners for licensing and regulating Hackney Coaches, the same stated Stages being numbered and to all Intents and Purposes Hackney Coaches, yet for the public Convenience are exempted from the ordinary Street Work of Hackney Coaches, and permitted to be employed and driven certain prescribed Routes at fixed Hours between the Metropolis and certain Villages and Places in its Vicinity: And whereas the said stated Hackney Coach Stages as well as the Hackney Coaches in general, and the Owners and Drivers thereof respectively, are in all Respects under the Regulation and Controul of the said Commissioners for licensing and regulating Hackney Coaches; and it is inexpedient and unnecessary that any of the Provisions of this Act should be applied to such Hackney Coaches and Hackney Coach Stages before mentioned; Be it therefore further enacted, That nothing in this Act contained shall extend to, or be construed to extend to affect such Hackney Coaches or their

Hackney Coach Stages exempted.

Owners or Drivers respectively, as now are or hereafter may be licensed by the said Commissioners for licensing and regulating Hackney Coaches, whether such Coaches be so licensed to be used and driven in the ordinary and indiscriminate Work of Hackney Coaches in general, in and about the Streets and Places within which such Hackney Coaches are by Law compellable to go or be driven, or are or may be licensed expressly for the Purpose of being employed and driven as Hackney Coach Stages between the Metropolis and certain Villages and Places in the Vicinity thereof; any thing in this Act contained to the contrary thereof in any wise notwithstanding.

Forms of Proceedings.

XXIV. And be it further enacted, That the Forms of the Proceedings relative to the several Matters contained in this Act, which are set forth and expressed in the Schedule hereunto annexed, may be used upon all Occasions, and with such Additions or Variations as may be necessary to adapt them to the particular Circumstances of the case, or the Place where the Prosecution for the Offence shall take place; and that no Objection shall be allowed to be made or Advantage taken on account of want of Form in any such Proceedings; and that such Conviction, unless appealed from within Fourteen Days in the manner hereinafter mentioned, shall be final and conclusive.

Want of Form.

Appeal.

XXV. Provided always, and be it further enacted, That if any Person shall find him, her or themselves aggrieved by any Determination, Judgment, Sentence or Conviction, which any Justice or Justices of the Peace or other Magistrate above mentioned shall have given or made in any of the cases hereinbefore mentioned, and shall enter into a Recognizance before such Justice or Justices or other Magistrate, with one sufficient Surety, the Condition whereof shall be, that such Person or Persons do and shall appear before the Court of the next Quarter-Sessions for the County or other Place where such Determination, Judgment, Sentence or Conviction shall have been given or made, then and there to abide the final Order, Judgment and Sentence of such Court on the Matters aforesaid, then, and in every such case, such Person or Persons shall be at Liberty to appeal to the next General Quarter-Sessions of the Peace to be holden for the said County or other Place, who upon hearing the said Appeal, shall have full Power finally to determine the same, and to award such Costs to the Appellant or to the Prosecutor or Informer, as to such Court shall seem fit to be awarded; and such last mentioned Proceedings, final Judgment and Sentence, shall not be removable by Writ of *Certiorari* or otherwise into any other Court.

Costs.

Certiorari.
Publick Act.

XXVI. And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices and other Persons whomsoever, without specially pleading the same.

Act may be altered, &c.

XXVII. And be it further enacted, That this Act may be altered, varied or repealed by any other Act or Acts of Parliament in this present Session of Parliament.

The SCHEDULES to which this Act refers.

FORMS of PROCEEDINGS mentioned in the foregoing Act.

INFORMATION.

BE it remembered, That on the _____ Day of _____
 One thousand eight hundred and _____ A. B. of _____
 in the said County, informeth me _____ One
 of His Majesty's Justices of the Peace for the said County, that
 [here
*describe the Offence particularly, and follow the Words of the Act as near
 as may be*] contrary to the Statute made in the Fiftieth Year of the
 Reign of King George the Third, intituled, *An Act for [here insert
 the Title of this Act]* which hath imposed a Forfeiture of _____
 for the said Offence. Received the
 Day of _____ by me _____

C. D.

SUMMONS for any Person or Persons to attend a Justice of the Peace or other Magistrate.

To A. B. of _____

WHEREAS Complaint and Information hath been made before
 me C. D. One of His Majesty's Justices of the Peace for the
 said [County, et cetera] That, *et cetera [here state the Nature and
 Circumstances of the Case, as far as it shall be necessary to shew the
 Offence and to bring it within the Authority of the Justice, and in doing
 that follow the Words of the Act as near as may be]* These are there-
 fore to require you personally to appear before me, or such other of
 His Majesty's Justices of the Peace for the said [County, et cetera]
 on the _____ Day of _____ next, at the Hour
 of _____ in the _____ Noon, to answer the said Complaint and
 Information; and further to do and receive what to the Law shall
 appertain. Herein fail not. Given under my Hand and Seal this
 Day of _____ One thousand eight hundred
 and _____

FORM of CONVICTION.

BE it remembered, That on the _____ Day of _____
 in the Year of our Lord One thousand eight hundred _____
 and _____ at _____ in the County of _____
 aforesaid, A. B. came before me C. D. One of His
 Majesty's Justices of the Peace for the said County, *et cetera*, and in-
 formed me, That, *et cetera [here set forth the Fact in the manner de-
 scribed by the Act]* whereupon the said E. F. after being duly sum-
 moned to answer said Charge, appeared before _____
 on the _____ Day of _____ at _____
 in the said County; and having heard the
 Charge contained in the said Information, declared that he was not
 guilty of the said Offence; but the same being fully proved upon
 the _____

the Oath of *G. H.* a credible Witness, it manifestly appears to me the said Justice, that he the said *E. F.* is guilty of the Offence charged upon him in the said Information; it is therefore considered and adjudged by me the said Justice, that he the said *E. F.* be convicted, and I do hereby convict him of the Offence aforesaid; and I do hereby declare and adjudge, that he the said *E. F.* hath forfeited the Sum of _____ of lawful Money of *Great Britain*, for the Offence aforesaid, to be distributed as the Law directs, according to the Form of the Statute in that case made and provided. Given under my Hand and Seal, the
Day of _____ One thousand eight hundred and

After the Words "being duly summoned to answer the said Charge," *insert* [did not appear before me pursuant to the said Summons] *or* [did neglect and refuse to make any Defence against the said Charge, but the same being fully proved, *et cetera*] *as before*: *After the Words* "contained in the said Information" *insert* [acknowledged and voluntarily confessed the same to be true, and it manifestly appears to me the said Justice, *et cetera*] *as above*.

[See as to Ireland, *ante cap.* 32.]

C A P. XLIX.

An Act to amend the Laws for the Relief of the Poor, so far as relate to the examining and allowing the Accounts of Churchwardens and Overseers by Justices of the Peace.

[9th June 1810.]

43 Eliz. c. 2.
§ 2.

17 G. 2. c. 38.

§ 1.

WHEREAS by an Act made in the Forty third Year of the Reign of Her late Majesty Queen *Elizabeth*, intituled, *An Act for the Relief of the Poor*, it is enacted, That Churchwardens and Overseers of the Poor of every Parish shall, within Four Days after their Year, and after other Overseers nominated, make and yield up to Two Justices of the Peace a true and perfect Account of all Sums of Money by them received, or rated and sessed and not received, and of all other things concerning their said Office: And whereas by an Act made in the Seventeenth Year of His late Majesty King *George* the Second, for remedying some Defects in the said recited Act made in the Forty third Year of the Reign of Queen *Elizabeth*, it is enacted, that the Churchwardens and Overseers of the Poor shall, Yearly and every Year, within Fourteen Days after other Overseers shall be nominated and appointed to succeed them, deliver in to such succeeding Overseers a just, true and perfect Account in Writing under the Hands of the Churchwardens and Overseers directed to account, of all Sums of Money by them received or rated and assessed and not received, and of all other Things concerning their said Office; which said Account shall be verified by Oath, or by the Affirmation of Persons called *Quakers*, before One or more of His Majesty's Justices of the Peace, which said Oath or Affirmation such Justice or Justices is and are by the said Act authorized and required to administer, and to sign and attest the Caption of the same at the Foot of the said Account: And

‘ And whereas it is expedient that Two or more Justices should be
 ‘ empowered to examine and correct and to allow and approve every
 ‘ such Account, before the same shall be signed and attested ;’ Be it
 therefore enacted by the King’s Most Excellent Majesty, by and with
 the Advice and Consent of the Lords Spiritual and Temporal, and
 Commons, in this present Parliament assembled, and by the Autho-
 rity of the same, That in all cases where any such Account is required
 to be made and yielded, and to be signed and attested as aforesaid by
 virtue of the said last recited Act, every such Account shall be sub-
 mitted by the Churchwardens and Overseers to Two or more Justi-
 ces of the Peace of the County, dwelling in or near the Parish or Place
 to which such Account shall relate, at a Special Sessions for that Pur-
 pose to be holden within the Fourteen Days appointed by the said
 last recited Act for delivering in such Account ; and such Justices
 shall and they are hereby authorized and empowered, if they shall so
 think fit, to examine into the Matter of every such Account, and
 to administer an Oath or Affirmation to such Churchwardens and
 Overseers of the Truth of such Account, and to disallow and strike
 out of every such Account all such Charges and Payments as they
 shall deem to be unfounded, and to reduce such as they shall deem
 to be exorbitant, specifying upon or at the Foot of such Account
 every such Charge or Payment and its Amount, so far as such Justi-
 ces shall disallow or reduce the same, and the cause for which the
 same is disallowed or reduced ; and it shall be lawful for such Two
 or more Justices, and they are hereby required to signify their
 Allowance and Approbation of any such Account under their Hands,
 and to sign and attest the Caption of the same at the Foot of such
 Account, in manner directed by the said last recited Act : And in
 case such Churchwardens and Overseers or any of them, shall refuse
 or neglect to make and yield up or to submit such Account, or to
 verify the same by Oath as aforesaid, or to deliver over to their Suc-
 cessors within Ten Days from the signing and attesting such Ac-
 counts, any Goods, Chattels or other Things, which on the Exami-
 nation and Allowance of such Account in manner aforesaid shall ap-
 pear to be remaining in the Hands of such Churchwardens or Over-
 seers, it shall and may be lawful for any Two or more Justices of the
 Peace to commit him, her or them, to the Common Gaol, until he,
 she or they shall have made and yielded such Account, and verified
 the same as aforesaid, or shall have delivered over such Goods, Chat-
 tels and other Things which shall appear to be so remaining in his,
 her or their Hands as aforesaid ; and in case such Churchwardens
 and Overseers or any of them, shall refuse or neglect to pay to their
 Successors within Fourteen Days from the signing and attesting such
 Account, any Sum or Sums of Money or Arrearages which on the
 Examination and Allowance of such Account in manner aforesaid,
 shall appear or be found to be due and owing from such Churchwar-
 dens or Overseers, or any of them, or remaining in their Hands,
 it shall and may be lawful for the subsequent Churchwardens and
 Overseers by Warrant from any Two or more Justices of the Peace,
 to levy all such Sum and Sums of Money by Distress and Sale of the
 Offenders’ Goods, rendering to the Parties the Overplus, and in
 default of such Distress, it shall be lawful for any such Two Justices
 of the Peace, to commit the Offender or Offenders to the Common
 Gaol

Accounts of
Churchwardens
and Overseers to
be submitted
to Justices at
Special Sessions.

Churchwardens,
&c. neglecting.

Committed.

Refusing to pay
to Successors.

Distress.

Imprisonment.

Gaol of the County, there to remain without Bail or Main prize, until Payment of such Sum or Sums of Money or Arrearages as aforesaid.

Appeal.

II. Provided always, and be it enacted, That if such Churchwardens or Overseers, or any of them, shall feel themselves, himself or herself aggrieved by the Disallowance or Reduction of any such Charges or Payments, and be desirous of appealing against any Order in that respect, made by any such Two or more Justices of the Peace, it shall and may be lawful for him, her or them, to enter an Appeal against such Order, at the next General or Quarter-Sessions to be holden next after the Tenth Day from the making of such Order, he, she or they having first paid or delivered over to the succeeding Churchwardens and Overseers, such Sum and Sums of Money, Goods, Chattels and other Things, as on the Face of the Account which shall have been submitted by him, her or them, to such Two or more Justices in manner aforesaid, shall appear and be admitted to be due and owing from him, her or them, or remaining in his, her or their Hands, and having also entered into a Recognizance before One or more such Justice or Justices, with Two sufficient Securities to be approved of by such Justice or Justices before whom such Recognizance shall be acknowledged, in not less than double the Sum or Value in dispute, to enter such Appeal at such next General or Quarter-Sessions, and abide by such Order as shall at that or any subsequent Sessions be made on such Appeal; and it shall and may be lawful for the Justices of the Peace assembled at such General or Quarter-Sessions, on Proof of the Matters aforesaid, and on the Production of such Recognizance and Proof of the same having been duly entered into, to adjourn such Appeal if they shall see Occasion, or to hear the same, and to examine into and to confirm or reverse such Disallowance or Reduction in the Whole or in Part, as to such Justices at such Sessions shall seem just, and in any such Case, the said Justices, at such Sessions, may (if they shall think fit) make an Order that such Churchwardens and Overseers shall have the Costs by them incurred, upon any such Appeal defrayed out of the Poor Rates of the Parish or Place; and the Order of the General Quarter-Sessions in execution of the Powers given to them by this Act shall be binding on all Parties.

Appeal.

III. Provided also, and be it enacted, That nothing herein contained shall take away or be construed to take away any Power of Appeal against any such Account, by any other Person entitled to appeal against the same by virtue of the said recited Acts or either of them.

Magistrates of Corporation same Jurisdiction as Justices.

IV. And be it further enacted, That every Mayor, Bailiff or other Head Officer of every Town or Place Corporate and City in *Great Britain*, or any Two Magistrates of such Town or Place Corporate or City, being Justice or Justices of Peace respectively, shall have the same Authority by virtue of this Act within the Limits and Precincts of their Jurisdictions as is by this Act limited, prescribed or appointed to Justices of the Peace of the County, or any Two or more of them, for the Execution of this Act; subject nevertheless to an Appeal to the General or Quarter-Sessions in every such Town or Place Corporate or City respectively as aforesaid: Provided always, that in any Town or Place Corporate or City, where there are not Four Justices of the Peace, it shall and may be lawful for any Person or Persons, where an Appeal is given by this Act, to appeal, if he or they shall think

think fit, to the next General or Quarter-Sessions of the Peace for the County, Riding or Division wherein such Town or Place Corporate or City is situate.

V. And be it further enacted, That no *Certiorari* shall be granted to remove any Order or Proceeding of any General or Quarter-Sessions or of any Justices, made or had under this Act, into any superior Court of Record; but that all Orders and Proceedings of such Sessions, and all Orders and Proceedings of such Justices (subject to such Appeal as aforesaid) under this Act, shall be final and conclusive to all Intents and Purposes. *Certiorari.*

VI. Provided also, and be it enacted, That nothing in this Act contained shall extend or apply, or be construed to extend or apply to the Accounts of any Churchwarden or Overseer of the Poor in any Parish or Place where, by the Provisions of any Act or Acts relating to the Poor of such Parish or Place, or by the Construction of any such Act or Acts, such Churchwardens and Overseers are exempted from the rendering the Accounts required by the hereinbefore recited Acts of the Forty third Year of the Reign of Her late Majesty Queen *Elizabeth*, and of the Seventeenth Year of the Reign of His late Majesty, King *George* the Second, or either of them; any thing hereinbefore contained to the contrary notwithstanding: Provided also, that nothing in this Act contained shall extend or be construed to extend to the City of *London*. *Proviso for Churchwardens, &c. 43 Eliz. c. 2. 17 G. 2. c. 38.*

VII. Provided also, and be it enacted, That nothing in this Act contained shall alter or repeal any of the Provisions or Regulations contained in the said recited Acts of the Forty third Year of the Reign of Her late Majesty Queen *Elizabeth*, and of the Seventeenth Year of the Reign of His late Majesty King *George* the Second, or either of them, other than and except only such Provisions or Regulations as are expressly mentioned in this Act, and so far as the same are expressly amended or altered by this Act. *City of London: Proviso for 43 Eliz. c. 2. 17 G. 2. c. 38.*

C A P. L.

An Act to explain and amend an Act made in the last Session of Parliament, relating to the Relief and Employment of the Poor, so far as relates to the more effectual carrying the same into Execution; and to extend the Provisions thereof to Parishes which shall not have adopted the Provisions of an Act of the Twenty second Year of His present Majesty, for the better Relief and Employment of the Poor.

[9th June 1810.]

‘ WHEREAS an Act was passed in the Twenty second Year of the Reign of His present Majesty, intituled, *An Act for the better Relief and Employment of the Poor*, whereby certain Rules, Orders and Regulations specified and contained in the Schedule to the said Act annexed, are directed to be observed and enforced at every Poorhouse to be provided by virtue of that Act, with such Additions as should be made by the Justices of the Peace of the Limit wherein such House or Houses should be situate, at some Special Session; provided such Additions should not be contradictory to the Rules, Orders and Regulations, established by that Act; and provided that the same should not be repealed by the

‘ the

22 G. 3. c. 83.

49 G. 3. c. 124.

§ 5.

In what case
Two Justices may
direct Regula-
tions of 22 G. 3.
c. 53. to be ob-
served in Work-
houses and alter
Regulations.

Power of Jus-
tices.

22 G. 3. c. 53.

How far Con-
tractors for Poor
subject to Juris-

the Justices at their General Quarter-Sessions of the Peace; And whereas another Act was passed in the Forty ninth Year of the Reign of His present Majesty, intituled, *An Act for altering, amending and explaining certain Acts relative to the Removal of the Poor, and for making Regulations in certain Cases touching the Examination of Paupers as to their Settlements; and for extending to all Parishes certain Rules and Orders in Workhouses, under an Act of the Twenty second Year of His present Majesty, intituled, An Act for the better Relief and Employment of the Poor; whereby any Two or more of His Majesty's Justices of the Peace are authorized, at any Petty Sessions, to direct such Rules, Orders and Regulations, or any of them, to be observed and executed in any Parishes within their respective Divisions or Districts: And whereas it is expedient that the Benefit of such Regulations as are provided and authorized to be made by the said recited Act of the Twenty second Year of His present Majesty, for the Government of Poor-houses and Workhouses, should be extended to Parishes which shall not have adopted the Provisions of the said Acts: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That any Two or more of His Majesty's Justices of the Peace, within their respective Limits, may at any Special Session direct the Rules, Orders and Regulations, in the Schedule to the said Act of the Twenty second Year of His Majesty's Reign specified and contained, or any of them, with such Additions as shall be made by such Justices, to be observed and enforced in the Workhouses or Poor-houses, or any Houses set apart for that Purpose, although there should be no Master or Mistress to superintend the same, of any Parish or Place within their respective Divisions or Districts, as fully and effectually as the Rules and Orders by the said Act of the Twenty second Year of His Majesty's Reign established, are to be observed and enforced within the Parishes adopting the Provisions of the same Act; and that it shall be lawful for Two or more such Justices, in any Special Session from time to time as they shall see occasion, to add to and alter the Rules, Orders and Regulations which shall at any previous Special Sessions have been made and ordered to be observed, provided that no Addition or Alteration to be made by such Justices shall be contradictory to the Rules, Orders and Regulations established by the said Act of the Twenty second Year of His Majesty's Reign, and provided that the same shall not be repealed by the Justices at their Quarter-Session of the Peace; and for enforcing and carrying into execution such Rules, Orders, and Regulations in every Parish and Place where the same shall be established by virtue of this Act, every Justice of the Peace shall, for that Purpose, have the Powers by the said Act of the Twenty second Year of His Majesty's Reign vested in Visitors of the Poor; and all Churchwardens and Overseers, within their respective Parishes and Townships shall have and exercise the Powers, and shall perform the Duties by the same Act vested in and imposed upon Governors of the Poor.*

II. And be it further enacted, That Persons contracting for the Maintenance of the Poor of any Parish or Place shall, with respect to all such things as they shall contract to perform and provide for the Poor

Poor, be subject to the Jurisdiction and Orders of Justices of the Peace in like manner in all respects as Overseers of the Poor are subject thereto; and that every Order of any such Justice to or upon any Person so contracting, may be enforced and carried into execution by such means as the same might have been enforced and carried into execution against any Overseer of the Poor; and that every Person so contracting for the Maintenance of the Poor, who shall refuse or neglect to obey any such Order, shall be punishable by the like Forfeitures and Penalties, to be levied in the same manner as in Cases of Disobedience or Neglect of the Orders of Justices by Overseers of the Poor.

dition of Justices.

Penalties.

III. Provided always, and be it further enacted, That it shall be lawful for the Justices in any such Special Session as aforesaid, upon the Application of the Overseers of the Poor of any Parish or Place, or of the major Part of them, to appoint the Keeper of the Workhouse of any such Parish or Place to be the Governor thereof, and the Keeper so appointed, so long as he shall continue Keeper of such Workhouse until the Justices in any such Special Session shall revoke such Appointment (which they are hereby empowered to do) shall have, use and exercise the Powers, and perform the Duties by the said Act of the Twenty second Year of His Majesty's Reign, vested in and imposed upon Governors of the Poor.

Justices may appoint Keeper of Workhouse to be Governor.

IV. And be it further enacted, That if any Person who shall be sent to any Poorhouse or Workhouse shall imbezzle, or wilfully waste, spoil or damage any of the Clothing, Goods or Materials committed to his or her Care, or shall take or carry away, without Permission of the Overseer of the Poor or Keeper of the said Workhouse, any Clothing, Goods or Materials provided for the Use of such Poorhouse, or of any of the Poor therein, Complaint thereof may be made upon Oath to One or more Justices of the Peace acting for the District or Division in which such Parish shall be situate; and such Justices are hereby authorized to hear such Complaint, and upon Conviction to commit the Offender to the House of Correction, there to be kept to hard Labour for any time not exceeding Two Calendar Months, nor less than Seven Days.

Imbezzling Goods, &c.

Punishment.

V. And be it further enacted, That any Breach of the Rules and Orders to be put in force by virtue of this Act, shall be punished in such manner as is by the said Act directed for the Breach of the Rules and Orders to be enforced under the before recited Act of the Twenty second Year of His present Majesty, Chapter Eighty three.

Breach of Rules, &c.
Punishment.

C A P. LI.

An Act to repeal so much of an Act, passed in the Seventh Year of King James the First, as relates to the Punishment of Women delivered of Bastard Children, and to make other Provisions in lieu thereof.

[9th June 1810.]

WHEREAS an Act was passed in the Seventh Year of the Reign of His late Majesty King James the First, intituled, *An Act for the due Execution of divers Laws and Statutes heretofore made against Rogues, Vagabonds and Sturdy Beggars, and other Lewd and Idle Persons*: And whereas it is, among other Things, directed and enacted, that every lewd Woman who, after the then present Session

7 Jac. 1. c. 4.

§ 7.

‘ Session of Parliament, should have any Bastard which might
 ‘ be chargeable to the Parish, should be committed to the House
 ‘ of Correction, there to be punished and set on Work during
 ‘ the Term of one whole Year; and that if such Woman should
 ‘ offend again in like manner, she should be committed to the
 ‘ House of Correction, there to remain until she should put in good
 ‘ Securities not to offend so again: And whereas the Punishment
 ‘ aforesaid, if rigorously inflicted, might be too severe, and might sub-
 ‘ ject the Offender to Imprisonment for Life:’ May it therefore
 please Your Majesty that it may be enacted; and be it enacted by the
 King’s Most Excellent Majesty, by and with the Advice and Consent
 of the Lords Spiritual and Temporal, and Commons, in this present
 Parliament assembled, and by the Authority of the same, That so
 much of the said recited Act passed in the Seventh Year of His late
 Majesty King *James* the First, as relates to the Commitment of
 Women to the House of Correction, there to be punished and set on
 Work for having Bastard Children who may be chargeable to the
 Parish, shall be and the same is hereby repealed.

repealed.

Limitation of
 Punishment.

II. And be it further enacted, That from and after the passing of
 this Act, in Cases when a Woman shall have a Bastard Child which
 may be chargeable to the Parish, it shall be lawful for any Two
 Justices of the Peace before whom such Woman shall be brought,
 and they shall or may, at their Discretion, commit such Woman to
 the House of Correction for the District or Place, and there to be
 set on Work for any time not exceeding Twelve Calendar Months nor
 less than Six Weeks.

Justices may mi-
 tigate Confinement, and dis-
 charge.

III. And be it further enacted, That it shall be lawful for any
 Two Justices of the Peace, at any Petty Session for the Division
 wherein the Parish to which such Bastard Child may be chargeable is
 situate, upon their own Knowledge, or a Certificate duly authen-
 ticated from the Keeper of such House of Correction in which such
 Woman shall have been confined for any Space not less than Six
 Weeks, of the good Behaviour of such Woman during such her
 Confinement, and of the reasonable Expectation of her Reformation,
 by Warrant under their Hands and Seals, to order such Woman to
 be immediately (or at the time to be appointed in such Warrant) dis-
 charged and released from further Confinement.

Proviso for time
 of Commitment.

IV. Provided always, and be it further enacted, That nothing in
 this Act contained shall extend, or be construed to extend to autho-
 rize any Justices of the Peace to commit any such Woman to the
 House of Correction, until she shall have been delivered for the Space
 of One Calendar Month.

C A P. LII.

An Act to amend so much of an Act, passed in the Eighth and
 Ninth Year of King *William* the Third, as requires poor
 Persons receiving Alms to wear Badges. [9th June 1810.]

8 & 9 W. 3.
 c. 20. § 2.

‘ WHEREAS by an Act passed in the Eighth and Ninth Year
 ‘ of the Reign of His late Majesty King *William* the Third,
 ‘ intituled, *An Act for supplying some Defects in the Laws for the Relief*
 ‘ *of the Poor of this Kingdom*, it is enacted, That every such Person
 ‘ as, from and after the First Day of September One thousand six
 ‘ hundred and ninety seven, shall be upon the Collection and receive
 ‘ Relief

• Relief of any Parish or Place, and the Wife and Children of any
 • such Person cohabiting in the same House, (such Child only ex-
 • cepted as shall be the Churchwardens and Overseers of the
 • Poor permitted to live at Home in order to have the Care of and
 • attend an impotent and helpless Parent) shall upon the Shoulder of
 • the Right Sleeve of the uppermost Garment of every such Person,
 • in an open and visible manner, wear such Badge or Mark as is
 • hereinafter mentioned and expressed; that is to say, a large Roman
 • I. together with the first Letter of the Name of the Parish or
 • Place whereof such poor Person is an Inhabitant, cut either in Red
 • or Blue Cloth, as by the Churchwardens and Overseers of the Poor
 • it shall be directed and appointed; and if any such poor Person shall
 • at any Time neglect or refuse to wear such a Badge or Mark as
 • aforesaid, and in manner as aforesaid, it shall and may be lawful for
 • any Justice of the Peace of the County, City, Liberty or Town
 • Corporate, where any such Offence shall be committed, upon Com-
 • plaint to him for that Purpose to be made, to punish every such
 • Offender for every such Offence, either by ordering of his or her
 • Relief or usual Allowance on the Collection to be abridged, sus-
 • pended or withdrawn, or otherwise by committing of any such
 • Offender to the House of Correction, there to be whipt and kept
 • to hard Labour for any Number of Days not exceeding One and
 • Twenty, as to the said Justice in his Discretion it shall seem most
 • meet; and if any such Churchwarden or Overseer of the Poor, from
 • and after the said First Day of *September*, shall relieve any such poor
 • Person not having and wearing such Badge or Mark as aforesaid,
 • being thereof convicted upon the Oath of One or more credible
 • Witnesses or Witnesses before any Justice of the Peace of the County,
 • City, Liberty or Town Corporate where any such Offence shall be
 • committed, shall forfeit for every such Offence the Sum of Twenty
 • Shillings, to be levied by Distress and Sale of the Goods of every
 • such Offender, by Warrant under the Hand and Seal of any such
 • Justice; One Moiety to be to the Use of the Informer, and the
 • other to the Poor of the Parish where the Offence shall be com-
 • mitted: And whereas it is expedient that the said Part of such Act
 • be repealed: May it therefore please Your Majesty that it may
 • be enacted; and be it enacted by the King's Most Excellent Majesty,
 • by and with the Advice and Consent of the Lords Spiritual and Tem-
 • poral, and Commons, in this present Parliament assembled, and by
 • the Authority of the same, That, from and after the passing of this
 • Act, the said Part of such recited Act shall be, and the same is hereby repealed.

C A P. LIII.

An Act for preventing Frauds relating to the Exportation of
British and Irish made Malt from one Part of the United
 Kingdom to the other. [19th June 1810.]

• **W**HEREAS by an Act made in this Session of Parliament, 50 G. 3 c. 34.
 • intituled, *An Act for allowing the Exportation of British and* § 1.
 • *Irish made Malt from one Part of the United Kingdom to the other,*
 • Malt unground and unscreened (a), made in *Ireland*, is allowed to
 • be imported into *Great Britain*, and Malt unground and unscreened,
 • made in *Great Britain*, is allowed to be imported into *Ireland*; and
 • 50 Geo. III. K it

‘ it is expedient to provide the Rules, Regulations, Restrictions and Provisions hereinafter contained for preventing Frauds relating thereto;’ Be it therefore enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of the said Act, the Master or Purser for that Voyage of the Ship or Vessel wherein any Malt shall be imported from *Ireland* into any Part of *Great Britain* shall, within Twenty Days next after he shall have or ought to have made a just and true Entry or Report upon Oath of the Burthen, Contents and Lading of such Ship or Vessel, in pursuance of the Directions of an Act made in the Thirteenth and Fourteenth Years of the Reign of King *Charles the Second*, intituled, *An Act for preventing Frauds, and regulating Abuses in His Majesty’s Customs*, the Proprietor or Proprietors, Importer or Importers, Consignee or Consignees of any such Malt, shall make due Entry with the Collector of Excise in the Port or Place where such Malt shall be so imported of all such Malt on board of such Ship or Vessel belonging to such Proprietor or Proprietors, Importer or Importers, Consignee or Consignees, specifying in such Entry the Quantity or Quantities of such Malt then laden in and on board of such Ship or Vessel, and shall then and before the landing of any such Malt, satisfy and pay down, in ready Money, without any Discount or Allowance, the Duties by this Act imposed on such Malt; and shall also, within such Twenty Days, land all such Malt; and if such Proprietor or Proprietors, Importer or Importers, Consignee or Consignees, shall neglect or refuse to make due Entry, or to pay such Duties, or to land any such Malt within such Twenty Days, then, and in every such Case, all such Malt shall be forfeited, together with the Packages containing the same, and the same respectively shall and may be seized by any Officer or Officers of Customs or Excise. (a) [The word “unscreened” does not appear in 50 G. 3. c. 54.]

II. And be it further enacted, That it shall and may be lawful to and for the Officers of Excise in *England* and *Scotland* respectively, or any of them, to go on board and enter into any Ship or Vessel whatsoever which shall be within the Limits of any of the Ports of *Great Britain*, or within Four Leagues of the Coast thereof, and continue on board the same, and to examine and search for all Malt whatsoever; and to seize for His Majesty’s Use all such Malt there found, as by the Laws thereunto relating shall be forfeited, together with the Packages containing the same; and also such Ship or Vessel, if the same shall be forfeited for or on account of such Malt.

III. And be it further enacted, That all Malt made in *Ireland*, and imported into *Great Britain*, which shall be unshipped, landed or delivered from or out of any Ship, Vessel or Boat before the Duties by the Act made in this Session of Parliament imposed shall be fully paid shall be forfeited and lost, together with the Packages containing the same; and such Ship, Malt and Packages shall and may be seized by any Officer or Officers of the Customs or Excise; and if any Person or Persons shall unship, land or deliver, or cause or procure to be unshipped, landed or delivered, or be aiding or assisting in the unshipping, landing or delivering from or out of any Ship, Vessel or Boat, any such Malt before the said Duties by the said Act imposed

Importation of Malt from Ireland to Great Britain.

13 & 14 Car. 2. c. 11. Entry.

Duty paid before landing.

Penalty.

Officers may go on board Vessels, and search for Malt.

Irish Malt imported, landed before Duty paid, forfeited.

imposed shall be fully paid, or shall hide or conceal, or cause or procure to be hidden or concealed any such Malt so unshipped, landed or delivered as aforesaid; or shall receive into his, her or their Hands, Custody or Possession, any such Malt so unshipped, landed or delivered as aforesaid, he, she or they knowing the same to have been so unshipped, landed or delivered as aforesaid, such Person or Persons, and each and every of them shall, for each and every such Offence, forfeit and lose Treble the Value of such Malt, to be estimated according to the best and highest Rate and Price which Malt of the best Quality shall sell for in *London, Edinburgh or Dublin* respectively, at the time when such Forfeiture shall be incurred.

Concealing
Malt.

Penalty.

IV. And be it further enacted, That it shall and may be lawful to and for any Person or Persons who shall have actually paid the Duties by the several Acts of Parliament imposed for or in respect of any Quantity of Malt made in *Great Britain or Ireland* respectively; or to and for any other Person or Persons who shall buy, or be lawfully entitled to any such Quantity of Malt from the said Person or Persons who paid such Duties for the same, to export such Malt, under and subject to the Rules, Regulations, Restrictions and Provisions hereinafter mentioned and prescribed, (that is to say) the Person or Persons intending to ship and export any such Malt shall give to the proper Officer or Officers of Excise Twenty four Hours Notice in writing, in case such Malt is intended to be shipped within the Limits of the Chief Office of Excise in *London*, and Forty eight Hours Notice in writing, in case such Malt is intended so to be shipped in any Place out of the said Limits in *Great Britain* or in *Ireland*, of his Intention to ship such Malt for Exportation; and of the Time when the same is intended to be shipped; and the Name of the Ship or Vessel in which the same is intended to be shipped, and of the Master thereof, and of the particular Port or Place where such Ship or Vessel lies, and is to receive or take on board such Malt, and of the particular Port or Place to which such Malt is intended to be exported, and of the Number of Bushels of such Malt so to be shipped and exported, and such Officer or Officers shall attend to see such Malt shipped, and the same shall be shipped in the Presence of such Officer or Officers; and the Officer or Officers who shall have seen such Malt shipped shall take an Account of the Quantity of such Malt so intended to be exported; and if any such Malt so intended to be shipped for Exportation shall not be begun to be shipped at the Time mentioned for that Purpose in such Notice, or within One Hour after such time, then such Notice shall be void, and the like Notice in writing shall be again given unto such Officer or Officers previous to the Shipping of any such Malt for Exportation.

Regulations
for Malt
exported.

V. And be it further enacted, That the Exporter of any such Malt shall also before the shipping the same give Bond, with sufficient Security, which Security shall, if such Malt be to be exported from that Part of *Great Britain* called *England*, be approved of by the Commissioners of Excise in *England* or the major Part of them for the time being, or the Person by them appointed or employed for that Purpose; and if such Malt be to be exported from that Part of *Great Britain* called *Scotland*, shall be approved by the Commissioners of Excise in *Scotland*, or the major Part of them for the time being, or by the Person by them appointed or employed for that Purpose, and

Bond for
Exportation.

in Treble the Amount of all the Duties intended to be drawn back on such Exportation of such Malt, that the particular Malt so intended to be exported and every Part thereof, shall, (the Danger of the Seas and Enemies excepted), be shipped and exported to the Port or Place to which such Malt in such Notice in that Behalf hereinbefore directed to be given, shall be declared to be intended to be exported and shall not be exported or carried to any other Place or Country whatsoever, and shall not be unshipped, unladed or laid on Land or put on board any other Ship, Vessel or Boat in *Great Britain* or *Ireland*, (Shipwreck or other unavoidable Accident excepted) which Bond the Officer of Excise of the Port or Place in *England* or *Scotland* respectively appointed or employed for that Purpose by the said respective Commissioners, or the major Part of them respectively for the time being, is hereby directed to take in His Majesty's Name and to His Majesty's Use.

Malt intended to be exported to Ireland, to be measured on board in Presence of Officer.

VI. And be it further enacted, That the Person or Persons intending to export any such Malt to *Ireland*, shall, in the Presence of the proper Officer of Excise, measure in and on board the Ship or Vessel on which the same shall be laden or shipped for such Exportation, all such Malt so intended to be exported, and it shall and may be lawful to and for any Officer or Officers of Excise at the Port where any such Malt is intended to be shipped for such Exportation, not only to examine all such Malt and to measure the same, but to see and attend the measuring thereof, at his and their free Will and Pleasure; and also to continue on board the Ship or Vessel on which such Malt shall be laden or shipped, until the same shall have cleared such Port.

Unmalted Grain mixed with Malt for Exportation.

VII. And be it further enacted, That if any unmalted Corn or Grain shall be mixed with or contained among any Malt shipped or intended to be shipped in any Part of *Great Britain* for Exportation to *Ireland*, or brought or imported from *Ireland* into any Part of *Great Britain* under or by virtue of the said Act made in this Session of Parliament; and this Act or either of them, all such Corn and Malt shall be forfeited, together with the Packages containing the same, and the same shall and may be seized by any Officer or Officers of Customs or Excise, and the Person or Persons who shall have so mixed or caused or procured, permitted or suffered to be mixed any such unmalted Corn or Grain with such Malt as aforesaid, shall, for every Buttel of such Mixture, forfeit and lose the Sum of Five Shillings.

Penalty.

Penalty.

Certificate of Payment of Duty produced on entering Malt for Ireland. Oath that Malt is the same mentioned in Certificate.

VIII. And be it further enacted, That the Person or Persons who shall enter any such Malt for such Export to *Ireland*, shall produce a Certificate or Certificates from the Collector of the Collection within which such Malt was made, that the Duties by Law imposed for or in respect of the making thereof have been fully paid, specifying by whom and at what Place the said Malt was made, which Certificate such Collector is hereby required to give *gratis*, Proof being made upon Oath that such Duties for or in respect of such Malt have been so paid, and such Person or Persons shall also make Oath before the proper Officer of the Port where the said Malt shall be shipped for Exportation, that the said Malt is the same which is mentioned in such Certificate, and the said Collector and Officer respectively are hereby authorized and empowered to administer the said respective Oaths.

In what case Commissioners

IX. And be it further enacted, That the Commissioners of Excise in *England*

England and Scotland respectively, or One or more of them respectively, or the proper Surveyor, Supervisor or other Officer of Excise being satisfied of the Truth of such Oath respectively, shall give to the said Exporter or his Clerk or Agent, a Certificate or Debenture expressing the Quantities of Malt so shipped, and that all the Duties by Law imposed for or in respect of such Malt, on the making thereof, have been paid for the same, and that Bond with sufficient Security hath been given before the shipping the same for the due Exportation thereof, and such Certificate or Debenture being produced to the Collector of Excise of the Port or Place from whence such Malt was so exported in *England and Scotland* respectively, for or in respect of any such Malt so exported from *Great Britain* to *Ireland*, he shall pay or allow to the Person or Persons so exporting the same, or their Agents, out of the Duties on Malt, the respective Drawbacks allowed by the said Act for Malt exported from *Great Britain* to *Ireland*.

of Excise to give a Debenture for Drawback.

X. And be it further enacted, That where any Malt shipped in *Great Britain* for Exportation to *Ireland*, shall be unshipped or relanded in any Part of *Great Britain*, or landed in the Islands of *Guernsey, Jersey, Alderney, Sark* or *Man*, or the Islands of *Faro* or *Ferro*, then, and in such Case, not only the Ship or Vessel, out of or from which any such Malt shall be so unshipped, landed or relanded, but also all and every Ship, Vessel or Boat into which such Malt, or any Part thereof, shall be put, after such unshipping, shall be forfeited, together with all her Guns, Furniture, Ammunition, Tackle and Apparel, and shall and may be seized by any Officer or Officers of Customs or Excise.

Relanding Malt shipped for *Ireland*.

Penalty.

XI. And be it further enacted, That if any such Collector of Excise shall not have Money in his Hands to pay the said Drawbacks hereinbefore mentioned, then the Commissioners of Excise in *England and Scotland* respectively, are required to pay the said Drawbacks out of any Money in their Hands, arising from the Duties on Malt, or any of them.

Drawbacks paid out of Malt Duties.

XII. And be it further enacted, That no Drawback shall be paid for or upon any Malt whatsoever exported from any Part of *Great Britain* to *Ireland*, nor shall any Debenture be made out for such Drawback until a Certificate shall be produced to the proper Officer of the Port at which such Malt shall have been shipped for Exportation, which Certificate shall be under the Hands and Seals of the Collector, Supervisor or Officer belonging to the Port for which such Malt shall have been so shipped, certifying that the said Malt has been duly landed there.

Not paid without Certificate.

XIII. And be it further enacted, That no Entry shall pass, nor shall any such Debenture be made out upon Exportation of Malt from *Great Britain* to *Ireland*, but in the Name of the real Owner or Owners, Proprietor or Proprietors of such Malt, and before such Owner or Owners or Proprietor or Proprietors shall receive the Drawback for or in respect of such Malt, One or more of such Owner or Owners or Proprietor or Proprietors, shall upon the Debenture verify by Oath his or their so being the real Owner or Owners, or Proprietor or Proprietors of the whole of such Malt, and that the said Malt is really and *bona fide* exported to and landed at the Place for which the same was entered for Exportation.

No Entry to pass, &c. but Name of Owner.

XIV. And be it further enacted, That if any Malt shipped in *Great*

Relanding Malt

Shipped for
Ireland.

Penalty.

Proceedings
thereon.

Search
Warrants.

Constable, &c.
to attend.

Obstructing
Search, &c.

Penalty.

Proviso for
making Malt
for Exportation
without Duty,
&c.

Great Britain for Exportation as aforesaid to *Ireland*, shall be reloaded in any Part of *Great Britain*, or shall be landed in the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark* or *Man*, or the Islands of *Faro* or *Ferro*, or any or either of them, then, and in every such Case, over and above the Penalty of the Bond which shall be levied and recovered to His Majesty's Use, all the Malt which shall be reloaded or landed, and the Value thereof, together with the Packages containing the same, shall be forfeited, and all such Malt and Packages shall and may be seized by any Officer or Officers of the Customs or Excise; and the better to enable the Officers to discover any Malt shipped in *Great Britain* for Exportation to *Ireland*, and reloaded in any Part of *Great Britain* or shipped in *Ireland* for Exportation to *Great Britain*, and unshipped, landed or delivered before the Countervailing Duties by the said Act imposed shall have been fully paid, if any Officer or Officers of Excise in *England* or *Scotland* shall have cause to suspect that any such Malt shall be deposited, hid or concealed in any Place or Places whatsoever, then, and in such Case, if such Place or Places shall be within the Cities of *London* or *Westminster*, or within the Limits of the Chief Office of Excise in *London*, upon Oath made by such Officer or Officers before the Commissioners of Excise in *England* for the time being, or any Two or more of them, or in case such Place or Places shall be in any other Part of *Great Britain*, upon Oath made by such Officer or Officers before One or more Justice or Justices of the Peace for the County, Riding, Division or Place where such Officer or Officers shall suspect the same to be deposited, hid or concealed, setting forth the Ground of his or their Suspicion, it shall and may be lawful to and for the said Commissioners, or any Two or more of them, or the Justice or Justices of the Peace respectively (as the case may require), before whom such Oath shall be made, if they or he shall judge it reasonable, by special Warrant or Warrants under his and their respective Hands and Seals to authorize and empower such Officer or Officers by Day or by Night, but if in the Night then in the Presence of a Constable or other lawful Officers of the Peace, to enter into all and every such Place or Places where he or they shall so suspect such Malt to be so deposited, hid or concealed, and to seize and carry away all such Malt which he or they shall then and there find, together with the Packages containing the same, and every such Constable or other lawful Officer of the Peace shall, and he and they is and are hereby required, on being thereto requested by any such Officer or Officers of Excise to go along with him or them, and to be present at the Execution of every such Warrant, and if any Person or Persons whatever shall let, obstruct or hinder any such Officer or Officers so authorized or empowered, or any other Person or Persons acting in his or their Aid or Assistance in the Execution of any such Warrant, from entering any such Place or Places where such Officer or Officers shall so suspect such Malt to be so deposited, hid or concealed, or in seizing or carrying away the same or the Packages containing the same, or in the due Execution of any such Warrant, the Person and Persons so offending, shall for each and every such Offence severally forfeit the Sum of One hundred Pounds.

XV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to hinder or prevent any Person or Persons from making Malt in *Great Britain* for Exportation, without Payment of any of the Duties

Duties on Malt, or from exporting Malt so made to *Ireland*, under and according to the Restrictions, Rules and Regulations, and subject to the Penalties and Forfeitures provided or enacted by any Law or Laws now in force with regard to the making of Malt for Exportation, and securing and exporting the same, without being charged with the Duties from *Great Britain* to Parts beyond the Seas.

XVI. And be it further enacted, That if any Person or Persons whatsoever shall assault, resist, oppose, molest, obstruct or hinder any Officer or Officers of Excise in the due Execution of this Act or of any of the Powers or Authorities hereby given or granted to any such Officer or Officers, or shall by Force or Violence, after the same shall have been seized by such Officer or Officers, rescue or cause to be rescued any Malt entered for Exportation from any Part of *Great Britain* to *Ireland*, or from *Ireland* to any Part of *Great Britain*, or shall attempt or endeavour so to do, or after such Seizure, or whilst any such Officer or Officers is or are attempting to seize any such Malt, shall destroy or damage such Malt, or any Part thereof, all and every Person or Persons so offending, shall for every such Offence, for which no other Penalty is particularly provided by this Act, forfeit and lose the Sum of One hundred Pounds.

Obstructing
Officers, &c.

Penalty.

XVII. And be it further enacted, That if any Person or Persons whatsoever shall give or offer to give any Bribe, Recompence or Reward whatsoever to any Officer or Officers of Excise, to connive at or permit any Malt entered for Exportation from any Part of *Great Britain* to *Ireland*, or from *Ireland* to any Part of *Great Britain*, to be run on Shore, or to connive at any false or short Entry of any such Malt, or shall give or offer to give any Bribe, Recompence or Reward whatsoever, in order to corrupt, persuade or prevail upon any such Officer or Officers either to do or perform any Act or Acts, Thing or Things whatsoever, contrary to the Duty of such Officer or Officers in Execution of this Act or of the said Act made in this Session of Parliament, or to neglect to do or perform any Act or Acts, or Thing or Things whatsoever, belonging or appertaining to the Business and Duty of such Officer or Officers in Execution of this or the said Act, or to connive at or conceal any Fraud or Frauds relating to any such Malt, or not to discover the same, every such Person or Persons so offending, shall for each and every such Offence, whether the same Offer or Proposal be accepted or not, forfeit and lose the Sum of Five hundred Pounds.

Bribing Officers.

Penalty.

XVIII. And be it further enacted, That all Fines, Penalties and Forfeitures imposed by this Act shall be sued for, recovered, levied or mitigated by such Ways, Means or Methods, as any Fine, Penalty or Forfeiture may be sued for, recovered, levied or mitigated by any Law or Laws of Excise, or by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Exchequer in *Scotland* respectively, and that One Moiety of every such Fine, Penalty or Forfeiture, shall be to His Majesty, his Heirs and Successors, and the other Moiety to him or them who shall inform, discover or sue for the same.

Penalties how
recovered.

XIX. And be it further enacted, That all and every the Powers, Directions, Rules, Penalties, Forfeitures, Clauses, Matters and Things, which in and by an Act made in the Twelfth Year of the Reign of King *Charles* the Second, intituled, *An Act for taking away the Court of Wards and Liveries and Tenures in capite, and by*

Former Acts in
force,
12 Car. 2.
c. 24.

Knights Service and Purveyance ; and for settling a Revenue upon His Majesty in lieu thereof ; or by any other Law now in force relating to His Majesty's Revenue of Excise, are provided and established for managing, raising, levying, collecting, mitigating or recovering, adjudging or ascertaining the Duties thereby granted, or any of them (other than in such Cases for which other Penalties or Provisions are made and prescribed by this Act) shall be practised, used and put in Execution in the managing, raising levying, collecting, mitigating, recovering and paying the Duties hereby granted, and for preventing Frauds relating thereto as fully and effectually as if all and every the said Powers, Rules, Directions, Penalties, Forfeitures, Clauses, Matters and Things were particularly repeated and re-enacted in this present Act.

Commencement
of Act.

XX. And be it further enacted, That this Act shall commence and take effect as to all such Matters and Things therein contained, in respect whereof no special Commencement is hereby directed or provided, from and immediately after the First Day of *December* One thousand eight hundred and ten, and shall remain and continue in force during the Continuance of the said Act, made in this Session of Parliament.

C A P. LIV.

An Act to revive and continue, until the Twenty fifth Day of *March* One thousand eight hundred and eleven, an Act of the Thirty ninth Year of His present Majesty, for the more effectual Encouragement of the *British* Fisheries.

[9th June 1810.]

39 G. 3. c. 100.
revived and con-
tinued till March
25, 1811.

‘ **W**HEREAS the Law hereinafter mentioned has by Experi-
‘ **W**ence been found useful and beneficial, and it is expedient
‘ that the same should be revived and further continued ;’ Be it there-
fore enacted by the King’s Most Excellent Majesty, by and with the
Advice and Consent of the Lords Spiritual and Temporal, and Com-
mons, in this present Parliament assembled, and by the Authority of
the same, That an Act made in the Thirty ninth Year of the Reign
fo His present Majesty, intituled, *An Act to revive and continue, until
the End of the next Session of Parliament, an Act made in the Thirty
fifth Year of the Reign of His Majesty, to continue and amend an Act,
made in the Twenty sixth Year of the Reign of His Majesty, intituled,
An Act for the more effectual Encouragement of the British Fisheries ;
and to amend an Act made in the Twenty sixth Year of the Reign of
His present Majesty, for extending the Fisheries, and improving the Sea
Coast of this Kingdom ;* which was amended and continued by an Act
of the Thirty ninth and Fortieth Years of the Reign of His present
Majesty, and revived, amended and continued by Six Acts, of the
Forty first, Forty second, Forty fourth, Forty sixth, Forty seventh
and Forty eighth Years of the Reign of His present Majesty, until
the Twenty fifth Day of *March* One thousand eight hundred and
nine, shall from and after the said Twenty fifth Day of *March* be
revived, and the same is hereby revived and further continued until the
Twenty fifth Day of *March* One thousand eight hundred and eleven,
and all the Powers and Provisions of the said Act hereby revived and
continued, as to the Payment of Bounties, and all other Clauses,
Restrictions,

39 & 40 G. 3.
c. 85.
41 G. 3. (U. K.)
c. 97.
42 G. 3. c. 79.
44 G. 3. c. 86.
46 G. 3. c. 94.
47 G. 3. Sess. 2.
c. 51.
48 G. 3. c. 86.

Restrictions, Matters and Things, shall be executed, allowed and put in force, as if the said Act had been continued before the said Twenty fifth Day of *March* One thousand eight hundred and nine.

C A P. LV.

An Act to prohibit the Importation of *Italian* Silk, Crape and Tiffanics, and to increase the Shares of Seizures payable to Officers in respect of Foreign wrought Silks and Foreign manufactured Leather Gloves. [9th June 1810.]

V. WHEREAS it is expedient to prohibit the Importation into *Great Britain* and the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark* and *Man*, of Foreign Silk, Crape and Tiffanics of every Description, except of *China* or the *East Indies*; Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Foreign Silk, Crape or Tiffanics of any Description whatever, except of *China* or the *East Indies*, imported for Exportation, shall, from and after the passing of this Act, be imported, brought, or conveyed into the Kingdom of *Great Britain*, or the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark* or *Man*; and if any such Foreign Silk, Crape or Tiffanics shall be found in the Custody or Possession of any Person or Persons in *Great Britain* or the Islands aforesaid, and which shall not have been imported, brought or conveyed into the same respectively, and on which the proper Duty of Customs shall not have been paid before the passing of this Act, the same shall be forfeited; and in case any such Foreign Silk, Crape or Tiffanics shall, at the Time of the Importation, be mixed with, sewed or made up with any Apparel, Garment or Furniture or other Materials, all such Foreign Silk, Crape and Tiffanics, and also the Apparel, Garment or Furniture, and other Materials, in, with or upon which the same shall be mixed, sewed or made up, shall be forfeited, and the Importer and Importers, and the Person and Persons in whose Custody or Possession the said Crape or Tiffanics, or Apparel, Garment or Furniture or other Materials shall be found, or who shall vend, utter, sell or expose to sale, or otherwise dispose of any such Crape or Tiffanics, or Apparel, Garment, Furniture or other Materials, or who shall sew, work or make up any such Crape or Tiffanics in *Great Britain*, or the Islands aforesaid, for, or in or upon any Garment or wearing Apparel, shall be subject and liable to the like Penalties to which the Importers and Persons having in their Custody or Possession, or vending, uttering, selling or exposing to sale, or otherwise disposing or sewing, working or making up any Foreign wrought Silks or Velvets are subject and liable by an Act passed in the Sixth Year of the Reign of His present Majesty for prohibiting the Importation of Foreign wrought Silks and Velvets.

II. And be it further enacted, That the Penalties and Forfeitures by this Act imposed shall be sued for, prosecuted and recovered in the same Manner and by the same Ways, Means and Methods, and under the like Rules, Regulations and Restrictions in every respect as the Penalties and Forfeitures for any Offence against the said recited Act of

Importing Foreign Silk, Crape, &c. (except of *China* or the *East Indies* for Exportation.) Penalty.

If made up with Apparel, &c. both forfeited.

Importer, Seller, &c.

Penalty.
6 G. 3. c. 25.

Penalties how recovered.

6 G. 3. c. 26.

of the Sixth Year of the Reign of His present Majesty, may be sued for, prosecuted and recovered; and upon the Condemnation of any Silk, Crape or Tiffanies hereby prohibited from being imported into *Great Britain* and the Islands aforesaid, the same shall be publickly sold for Exportation only, under the like Security as is provided with respect to Foreign wrought Silks and Velvets seized under the Authority of the said recited Act.

Produce of Seizures.

How disposed of.

III. And whereas it is expedient to give further Encouragement to Officers of the Customs to induce them to be active in seizing Foreign wrought Silks, Velvets, Crape and Tiffanies, and Foreign manufactured Leather Gloves; Be it therefore enacted, That in lieu and instead of the Shares now allowed by Law for such Seizures, every Officer and Officers of the Customs by whom any such Foreign wrought Silks, Velvets, Crape or Tiffanies, or Foreign manufactured Leather Gloves shall be seized, shall, from and after the passing of this Act, be entitled to Two Third Parts of the Gross Produce arising by the Sale of such Goods, although the Boat, Vessel, Cart, Horse or other Cattle or Carriage made use of in the removing, carrying or conveying of such Goods shall not have been seized or prosecuted, nor the Person or Persons concerned in unshipping or receiving such Goods, or in whose Custody or Possession the same shall have been found and seized, shall not have been discovered and made known by such Officer or Officers of the Customs, so that he, she or they may be prosecuted for such Offence, and all Charges and Expences attending the Condemnation and Sale of the Goods shall be deducted out of the remaining One Third payable to His Majesty; any thing contained in any Act or Acts of Parliament to the contrary thereof in any wise notwithstanding.

C A P. LVI.

An Act to explain and amend an Act passed in the last Session of Parliament, for continuing and making perpetual several Duties of One Shilling and Six pence in the Pound, repealed by an Act of the last Session of Parliament on Offices and Employments of Profit, and on Annuities, Pensions and Stipends.

[9th June 1810.]

7 G. 1. Stat. 1. c. 27.

§ 19.

‘ WHEREAS by an Act passed in the Seventh Year of the
 ‘ Reign of His late Majesty King George the First, intituled,
 ‘ *An Act for raising a Sum not exceeding Five hundred thousand*
 ‘ *Pounds by charging Annuities at the Rate of Five Pounds per Cen-*
 ‘ *tum per Annum, upon the Civil List Revenues, till redeemed by the*
 ‘ *Crown; and for enabling His Majesty, His Heirs or Successors (by*
 ‘ *causing such a Deduction to be made as therein is mentioned) to*
 ‘ *make good to the Civil Lists the Payments which shall have been*
 ‘ *made upon the said Annuities; and for borrowing upon certain Lot-*
 ‘ *tery Tickets; and for discharging the Corporations for Assurances*
 ‘ *of Part of the Money which they were obliged to pay to His Majesty;*
 ‘ *and for making good a Deficiency to the East India Company; it was,*
 ‘ among other things, enacted, that it might be lawful for His Ma-
 ‘ jesty to cause a Deduction to be made not exceeding Six pence in
 ‘ the Pound, out of all Monies which after the First Day of *August*
 ‘ should be paid for or upon all Pensions and Annuities, payable
 ‘ upon

' upon any of the said Hereditary or Temporary Duties, for and
 ' upon all Salaries, Fees and Wages payable for or in respect of
 ' Offices of Profit, granted by or derived from the Crown, with
 ' certain Exceptions therein particularly specified: And whereas by
 ' another Act passed in the Twelfth Year of the Reign of His said
 ' late Majesty King George the First, intituled, *An Act for granting*
 ' *to His Majesty the Sum of One Million, to be raised by way of Lotte-*
 ' *ry, the said Deductions were further continued for the Purposes*
 ' *in the said Act mentioned: And whereas by another Act passed*
 ' *in the Thirty first Year of the Reign of His late Majesty King*
 ' *George the Second, intituled, An Act for granting to His Majesty*
 ' *several Rates and Duties upon Offices and Pensions, and upon Houses,*
 ' *and upon Windows or Lights, and for raising the Sum of Five Mil-*
 ' *lions by Annuities and a Lottery, to be charged on the said Rates and*
 ' *Duties, it was, among other things, enacted, that there should*
 ' *be yearly raised, levied and paid to His Majesty, his Heirs and*
 ' *Successors, the Sum of One Shilling, over and above all other*
 ' *Duties already charged or payable, for every Twenty Shillings of*
 ' *the yearly Value or Amount of all Salaries, Fees and Perquisites in-*
 ' *cident to, or received for or in respect of all Offices and Employ-*
 ' *ments of Profit in Great Britain, and the like Sum of One Shilling*
 ' *for every Twenty Shillings of all Pensions and other Gratuities,*
 ' *payable out of any Revenue belonging to His Majesty in Great*
 ' *Britain, exceeding the Value of One hundred Pounds per Annum:*
 ' *And whereas by another Act passed in the Thirty second Year of*
 ' *the Reign of His said late Majesty, King George the Second, in-*
 ' *tituled, An Act to explain and amend an Act made in the last Session*
 ' *of Parliament intituled, An Act for granting to His Majesty several*
 ' *Rates and Duties upon Offices and Pensions, and upon Houses, and*
 ' *upon Windows or Lights, and for raising the Sum of Five Millions by*
 ' *Annuities, and a Lottery, to be charged on the said Rates and Duties,*
 ' *so far as the same relates to the Rates and Duties on Offices and Pen-*
 ' *sions, certain Provisions were made for collecting and paying the said*
 ' *last mentioned Duty of One Shilling in the Pound: and whereas by*
 ' *another Act passed in the Twenty seventh Year of the Reign of*
 ' *His present Majesty, intituled, An Act for repealing the several*
 ' *Duties of Customs and Excise, and granting other Duties in lieu*
 ' *thereof, and for applying the said Duties together with the other Duties*
 ' *composing the Public Revenue; for permitting the Importation of certain*
 ' *Goods, Wares and Merchandize, the Produce or Manufacture of the*
 ' *European Dominions of the French King into this Kingdom; and for*
 ' *applying certain unclaimed Monies remaining in the Exchequer for the*
 ' *Payment of Annuities on Lives, to the Reduction of the National Debt,*
 ' *the said respective Duties of Six pence and One Shilling were carried*
 ' *to and made Part of the Consolidated Fund: And whereas by*
 ' *another Act passed in the Forty eighth Year of the Reign of*
 ' *His present Majesty, intituled, An Act for continuing to His Ma-*
 ' *jesty certain Duties on Malt, Sugar, Tobacco and Snuff, in Great*
 ' *Britain and on Pensions and Offices in England; and for repealing so*
 ' *much of certain Acts as relate to certain Duties of Six pence and One*
 ' *Shilling respectively on Offices and Pensions; and for regulating the*
 ' *said Duties of Six pence and One Shilling respectively, and the said*
 ' *other Duties, for the Service of the Year One thousand eight hun-*
 ' *dred and eight, by which the said recited Acts passed in the Seventh*
 ' and

12 G. 1. c. 2.
§ 26.

31 G. 2. c. 22.

§ 1.

32 G. 2. c. 33.

17 G. 3. c. 13.
§ 47.

48 G. 3. c. 2.

§ 17.

§ 18.

§ 19.

49 G. 3. c. 32.

§ 1.

‘ and Twelfth Years of the Reign of His said late Majesty King
 ‘ *George* the First, and the said recited Acts in the Thirty first and
 ‘ Thirty second Years of the Reign of His said late Majesty King
 ‘ *George* the Second, and in the Twenty ninth Year of the Reign of
 ‘ His present Majesty respectively, so far as the same relate to the said
 ‘ Duties of Six pence and One Shilling in the Pound respectively,
 ‘ should from and after the Twenty fifth Day of *March* One thou-
 ‘ sand eight hundred and eight, be and the same were thereby repealed
 ‘ with an Exception therein mentioned : and it was by the said last re-
 ‘ cited Act enacted, that for and upon all Pensions charged upon any
 ‘ of His Majesty’s Revenues, or any Rates or Duties granted to His
 ‘ Majesty, or upon the Contingent Fund, Fees or Incidents of any
 ‘ Office, or upon any Publick Monies, and also upon all Salaries, Fees
 ‘ or Wages, payable for or in respect of any Offices of Profit granted
 ‘ by or derived from the Crown, upon, for or in respect of which
 ‘ before the passing of this Act, the said Deduction of Six pence in
 ‘ the Pound was charged or chargeable, there should be imposed a
 ‘ Duty of Six pence in the Pound, and for and upon every Twenty
 ‘ Shillings of the yearly Value or Amount of all Salaries, Fees and
 ‘ Perquisites, incident to or received for or in respect of all Offices and
 ‘ Employments of Profit, and for every Twenty Shillings of all
 ‘ Pensions and other Gratuities payable out of any Revenue belonging
 ‘ to His Majesty in *Great Britain*, or out of the Contingent Fund,
 ‘ Fees or Incidents of any Office, or out of any Publick Monies
 ‘ exceeding the Value of One hundred Pounds *per Annum*, and in
 ‘ respect of which Pensions or other Gratuities, before the passing of
 ‘ the said last recited Act, the said Deduction of One Shilling in the
 ‘ Pound was charged or chargeable, or made or liable to be made,
 ‘ there should be charged a Duty of One Shilling ; and it was by
 ‘ the said last recited Act further enacted, That the said several
 ‘ Duties of Six pence and One Shilling respectively, by the said Act
 ‘ granted, should be charged and chargeable for One Year, from
 ‘ the Twenty fifth Day of *March* One thousand eight hundred and
 ‘ eight : And whereas another Act was passed in the last Session of
 ‘ Parliament, intituled, *An Act for continuing and making perpetual
 ‘ several Duties of One Shilling and Six pence, repealed by an Act of
 ‘ the last Session of Parliament, on Offices and Employments of Profit,
 ‘ and on Annuities, Pensions and Stipends, and thereby granted for one
 ‘ Year to the Twenty fifth Day of March One thousand eight hundred
 ‘ and nine*, by which it was enacted, That from and after the Twenty
 ‘ fifth Day of *March* One thousand eight hundred and nine, there
 ‘ should be assessed, raised, levied and paid, unto and for the Use of
 ‘ His Majesty, his Heirs and Successors, upon all Annuities, Pensions,
 ‘ Stipends and other Payments, Salaries, Fees, Wages and Perqui-
 ‘ sites, as set forth in the Schedule to the said Act annexed, the sever-
 ‘ al Rates and Duties respectively inserted and contained therein : And
 ‘ whereas Doubts have arisen whether the Rates and Duties specified
 ‘ in such Schedule extend to the said Duties of Six pence and One
 ‘ Shilling respectively, charged and chargeable in *Scotland*, by the
 ‘ said recited Acts passed in the Seventh Year of the Reign of His
 ‘ said late Majesty King *George* the First. and in the Thirty first Year
 ‘ of the Reign of His said late Majesty King *George* the Second ;
 ‘ Be it it enacted by the King’s Most Excellent Majesty, by and with
 ‘ the Advice and Consent of the Lords Spiritual and Temporal,

and

and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Duties of Six pence and One Shilling respectively, shall be assessed, raised, levied and paid in *Scotland*, for the Purposes directed by the said last recited Act, for and in respect of all Pensions and Annuities, and for and in respect of all Salaries, Fees, Wages and Perquisites, and for and in respect of all Pensions or Gratuities, for or in respect of which or of any of which the said Duties were respectively charged or chargeable in *Scotland*, prior to the passing of the said last recited Act, by virtue of the said Two recited Acts, passed in the Seventh Year of the Reign of His said late Majesty King *George* the First, and in the Thirty first Year of the Reign of His said late Majesty King *George* the Second, or by virtue of any Act or Acts passed prior to the passing of the said last recited Act passed in the last Session of Parliament, in the manner in which the same were respectively raised, assessed, levied and paid prior to the passing of the said recited Act passed in the Forty eighth Year of the Reign of His present Majesty.

The Duties of 6d. and 1s. to be raised in Scotland.

49 G. 3. c. 2.

C A P. LVII.

An Act to revive and continue until the Twenty fifth Day of *March* One thousand eight hundred and fifteen, an Act of the Twenty third Year of His present Majesty, for the more effectual Encouragement of the Manufacture of Flax and Cotton in *Great Britain*. [9th June 1810.]

‘WHEREAS the Law hereinafter mentioned has by Experience been found useful and beneficial, and it is expedient that the same should be revived and further continued;’ Be it therefore enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act made in the Twenty third Year of the Reign of His present Majesty, intituled, *An Act for the more effectual Encouragement of the Manufacture of Flax and Cotton in Great Britain*; which was to continue in force for Two Years from the First Day of *January* One thousand eight hundred and four, and from thence to the End of the then next Session of Parliament; and which said Act was by several subsequent Acts further continued until the Twenty fifth Day of *March* One thousand eight hundred and ten, shall be and the same is hereby revived and further continued from the said Twenty fifth Day of *March* One thousand eight hundred and ten, until the Twenty fifth Day of *March* One thousand eight hundred and fifteen, except so much thereof as relates to allowing a Drawback of the Duties of Customs on the Importation of Brimstone used and consumed in making Oil of Vitriol.

23 G. 3. c. 77. revived and continued till March 25, 1815, except certain Drawbacks.

C A P. LVIII.

An Act to amend several Acts for the Redemption and Sale of the Land Tax. [9th June 1810.]

‘WHEREAS by an Act passed in the Forty sixth Year of the Reign of His present Majesty, intituled, *An Act to amend an Act passed in the Forty second Year of His present Majesty, for consolidating*

46 G. 3. c. 133.

§ 2.

49 G. 3. c. 67.

§ 1.

Time extended.

‘ consolidating the several Acts passed for the Redemption and Sale of the
 ‘ Land Tax, and to make further Provision for exonerating Small Liv-
 ‘ ings and Charitable Institutions from the Land Tax, the Commis-
 ‘ sioners appointed or to be appointed by Letters Patent under the
 ‘ Great Seal of Great Britain, for the Purpose of regulating, direc-
 ‘ ting, approving and confirming Sales for the Redemption of the
 ‘ Land Tax, were authorized at any time within the Space of Two
 ‘ Years after the passing of the said Act to direct the Exoneration
 ‘ and Discharge of the Land Tax charged upon the Messuages, Lands,
 ‘ Tenements and other Hereditaments belonging to any Livings or
 ‘ other Ecclesiastical Benefices or Charitable Institutions under the
 ‘ Restrictions and Regulations therein contained: And whereas by
 ‘ an Act passed in the Forty ninth Year of the Reign of His present
 ‘ Majesty for amending the said last mentioned Act, and for making
 ‘ further Provision for exonerating Small Livings and Charitable
 ‘ Institutions from the Land Tax, it was enacted that it should and
 ‘ might be lawful for the said Commissioners at any time within the
 ‘ Space of Eighteen Calendar Months, after the passing the said
 ‘ Act, to direct the Exoneration and Discharge of the Land Tax
 ‘ charged upon such Messuages, Lands, Tenements or other Here-
 ‘ ditaments, in the manner and under the Directions and Restrictions
 ‘ in the said Act mentioned or referred to: And whereas it is expe-
 ‘ dient to extend the Term limited by the said last mentioned Act for
 ‘ carrying the Purposes thereof into Execution,’ Be it therefore en-
 ‘ acted by the King’s Most Excellent Majesty, by and with the Advice
 ‘ and Consent of the Lords Spiritual and Temporal, and Commons, in
 ‘ this present Parliament assembled, and by the Authority of the same,
 ‘ That it shall and may be lawful for the said Commissioners, at any
 ‘ time within the Space of One Year from the passing of this Act, to
 ‘ direct the Exoneration and Discharge of the Land Tax charged upon
 ‘ such Messuages, Lands, Tenements or other Hereditaments as afore-
 ‘ said, in such manner and under such Directions and Restrictions as
 ‘ in the said Act of the Forty ninth Year of His present Majesty are
 ‘ expressed or referred to, in such and the same manner as if such Com-
 ‘ missioners had been authorized by the said last mentioned Act to direct
 ‘ the Exoneration and Discharge of such Land Tax, at any time within
 ‘ the Space of Two Years from the passing thereof; Provided that all
 ‘ such Memorials and Certificates as by the said Act are required to be
 ‘ transmitted to the said Commissioners, shall be transmitted within
 ‘ Twelve Calendar Months from the passing of this Act.

42 G. 3. c. 116.

§ 78.

‘ II. And whereas by an Act passed in the Forty second Year of
 ‘ the Reign of His present Majesty, intituled, *An Act for consolidating*
 ‘ *the Provisions of the several Acts passed for the Redemption and Sale*
 ‘ *of the Land Tax into One Act, and for making further Provision for*
 ‘ *the Redemption and Sale thereof; and for removing Doubts respecting*
 ‘ *the Right of Persons claiming to vote at Elections for Knights of the*
 ‘ *Shire and other Members to serve in Parliament in respect of Messuages,*
 ‘ *Lands or Tenements, the Land Tax upon which shall have been re-*
 ‘ *deemed or purchased,* all Corporations Aggregate are enabled by the
 ‘ Sale of Lands, or by the Grant of Rent Charges, to provide for the
 ‘ Redemption of the Land Tax charged on the Glebe Lands, Tithes
 ‘ and other Profits of any Living or Livings in the Patronage of such
 ‘ Corporations Aggregate respectively, in Cases where such Land
 ‘ Tax shall have been or shall be redeemed by or on behalf of such
 ‘ Corporations

‘ **Corporations Aggregate** ; and it is expedient that similar Powers should be given to **Corporations Sole** and to **Companies** ;’ Be it therefore further enacted, That where the **Land Tax** charged upon the **Glebe Lands**, **Tithes** or other **Profits** of any **Living** or **Living**s in the **Patronage** of any **Archbishop**, **Bishop**, or other **Corporation Sole**, or any **Company** or **Companies**, shall have been or shall be redeemed by or on the **Behalf** of any such **Bodies Politick** or **Corporate** or **Companies**, by virtue of any of the **Provisions** of the said recited **Acts** or of this **Act**, it shall be lawful for any such **Archbishop**, **Bishop** or **Bodies Politick** or **Corporate**, whether **Sole** or **Aggregate** or **Companies**, to provide for such **Redemption** by **Sale** of any **Lands**, **Tenements** or **Hereditaments** belonging to such **Archbishop**, **Bishop** or **Bodies Politick** or **Corporate**, whether **Sole** or **Aggregate**, or **Companies** respectively; or by the **Grant** of any **Rent Charge** which they could or might respectively lawfully make for the **Redemption** of any **Land Tax** charged on the **Lands** belonging to such **Archbishop**, **Bishop** or **Bodies Politick** or **Corporate**, whether **Sole** or **Aggregate** or **Companies**, and the **Land Tax** so redeemed shall be forthwith extinguished ; but every such **Archbishop**, **Bishop** or **Body Politick** or **Corporate**, whether **Sole** or **Aggregate** or **Company**, shall nevertheless be entitled to an **Annual Rent Charge**, issuing out of such **Living** equivalent to the **Amount** of the **Land Tax** redeemed, unless it shall be declared in **Writing** under the **Seal** or **Common Seal** of the **Archbishop**, **Bishop**, **Body** or **Bodies Politick** or **Corporate**, whether **Sole** or **Aggregate** or **Companies**, having such **Right** of **Patronage** or **Nomination** at the **Time** of presenting or nominating any **Clerk** or **Clerks** to such **Living** or **Living**s, that such **Rent Charge** shall be suspended during his or their **Incumbency** or respective **Incumbencies**, which **Declaration** the **Archbishop**, **Bishop**, **Body** or **Bodies Politick** or **Corporate**, whether **Sole** or **Aggregate** or **Companies**, entitled to nominate to such **Living** or **Living**s, shall from time to time be competent to make : **Provided** always, that such **Suspension** shall be without **Prejudice** to the **Right** of the said **Archbishop**, **Bishop**, **Body** or **Bodies Politick** or **Corporate** or **Companies** respectively, to recover such **Rent Charge** after the next or any future **Avoidance** : **Provided** also, that any **Declaration** made by any such **Archbishop**, **Bishop**, **Bodies Politick** or **Corporate**, whether **Sole** or **Aggregate** or **Companies**, at the time of redeeming the said **Land Tax**, shall be as available during the **Incumbency** of the then **Rector**, **Vicar** or **Curate**, as if it had been made at the **Time** of his being preferred to such **Living**.

Provision for Redemption by Sale of Part of such Lands, &c.

Rent Charge paid equivalent to Land Tax redeemed,

if not declared to be suspended during Incumbency.

‘ **III.** And whereas it is expedient to make **Provisions** for the **Enrolment** or **Registry** of **Deeds** which have not been duly enrolled or registered pursuant to the **Directions** of the said recited **Acts** of the **Forty second** and **Forty sixth Years** of His present Majesty, and of the several other **Acts** passed relating to the **Redemption** of the **Land Tax**,’ Be it therefore enacted, That all **Deeds** required by the said recited **Act** or any other **Acts** relating to the **Redemption** of **Land Tax**, to be enrolled or registered, shall be valid and effectual, although the same shall not have been or shall not be enrolled or registered within the **Periods** prescribed by the said **Acts** respectively ; **Provided** the same shall have been enrolled or registered before the passing of this **Act**, or shall be enrolled or registered within **Twelve Calendar Months** after the passing thereof.

What Deeds to be registered within a Year.

‘ **IV.** And whereas in several **Parishes** or **Places** in *Great Britain* the

Rewards for tak-
ing Deserters.

‘ the Whole of the Land Tax charged thereon has been or may
‘ be exonerated by Redemption or Purchase, by reason whereof there
‘ may not be any Funds in the Hands of the Collectors of the Land
‘ Tax to pay Rewards for apprehending Deserters which by Law
‘ are made payable out of the Land Tax in the Hands of such
‘ Collectors;’ For Remedy whereof, Be it therefore enacted, That
from and after the passing of this Act in every Parish or Place in
Great Britain, where the Whole of the Land Tax has been or shall
be redeemed, it shall be lawful for the Collectors of the Duties of
Assessed Taxes, and they are hereby required, upon any Order, to
pay Rewards for apprehending Deserters, to pay the same out of any
Monies in their Hands arising from any of the Duties of Assessed
Taxes, in such manner and under such Restrictions and Regulations
as are by Law now applicable to the Payment of such Rewards out
of the Land Tax; Provided that the Receiver General of the said
Duties shall from time to time replace the said Duties of Assessed
Taxes out of any Monies of the Land Tax in his Hands at such
times and in such manner as the Commissioners for the Affairs of Taxes
shall direct, and the Monies so paid shall be allowed to him in his Ac-
counts of the said Land Tax.

C A P. LIX.

An Act for more effectually preventing the Embezzlement of
Money or Securities for Money belonging to the Public, by
any Collector, Receiver, or other Person entrusted with the
Receipt, Care or Management thereof. [9th June 1810.]

Embezzling
Money issued for
Publick Services.
Misdemeanor,
&c.

‘ **W**HEREAS it is most expedient that due Provision should be
‘ made more effectually to prevent the Embezzlement of
‘ Money or Securities for Money belonging to the Publick, by any
‘ Collector, Receiver or other Officer entrusted with the Receipt,
‘ Custody or Management thereof:’ Be it therefore enacted by the
King’s Most Excellent Majesty, by and with the Advice and Consent
of the Lords Spiritual and Temporal, and Commons, in this present
Parliament assembled, and by the Authority of the same, That if
any Person or Persons to whom any Money or Securities for Money
shall be issued for Publick Services, shall from and after the passing
of this Act embezzle such Money, or in any manner fraudulently
apply the same to his own Use or Benefit, or for any Purpose what-
ever except for Publick Services, every such Person so offending, and
being thereof duly convicted according to Law, in any Part of the
United Kingdom, shall be adjudged guilty of a Misdemeanor, and
shall be sentenced to be transported beyond the Sea, or to receive
such other Punishment as may by Law be inflicted on Persons guilty
of Misdemeanors, and as the Court before which such Offenders may
be tried and convicted shall adjudge.

Officers giving in
false Statements
of Money en-
trusted to their
Care.
Misdemeanor,
&c.

II. And be it further enacted, That if any such Officer, Collector
or Receiver so entrusted with the Receipt, Custody or Management
of any Part of the Publick Revenues, shall knowingly furnish false
Statements or Returns of the Sums of Money collected by him or
entrusted to his Care, or of the Balances of Money in his Hands or
under his Controul, such Officer, Collector or Receiver so offend-
ing, and being thereof convicted, shall be adjudged guilty of a Misde-
meanor,

meanor, and shall be adjudged to suffer the Punishment of Fine and Imprisonment, at the Discretion of the Court, and be rendered for ever incapable of holding or enjoying any Office under the Crown.

C A P. LX.

An Act for permitting the Exportation to *Newfoundland* of Foreign Salt, Duty-free, from the Import Warehouses at the Port of *Bristol*; and for repealing so much of an Act of the last Session as allows Salt, the Produce of any Part of *Europe* South of *Cape Finisterre*, to be shipped in any Port of *Europe* direct to certain Ports in *North America*. [9th June 1810.]

‘ WHEREAS by an Act made in the Thirty ninth Year of the
 ‘ Reign of His present Majesty, among other Things, for 89 G. 3. c. 69.
 ‘ amending an Act made in the Thirty eighth Year of the Reign of
 ‘ His present Majesty, for transferring the Management of the Salt
 ‘ Duties to the Commissioners of Excise, reciting, among other
 ‘ Things, that it was expedient to allow any such Foreign Salt as is in
 ‘ the said Act in that Behalf mentioned, to be taken from and out
 ‘ of any such Warehouse, Storehouse or Cellar, as is in the said
 ‘ Act mentioned, for the Purpose in the said Act of the Thirty
 ‘ ninth Year aforesaid mentioned, it is enacted that it shall and may be § 9.
 ‘ lawful to or for any Person or Persons within Twelve Months after
 ‘ the Importation and landing thereof, to take, free of Duty, for
 ‘ the Purpose of exporting the same in any Ship or Vessel not of
 ‘ less Burthen than Forty Tons, to *Newfoundland*, for curing Cod
 ‘ Fish, Ling or Hake, to be there caught, any Quantity exceeding
 ‘ Fifty Bushels at a Time of Foreign Salt, from and out of any
 ‘ Import Warehouse, Storehouse or Cellar, at either of the Ports
 ‘ of *Poole*, *Dartmouth*, *Falmouth* or *Glasgow*, in which the same had
 ‘ been put in manner in the said last mentioned Act mentioned, on
 ‘ giving such Bond or Security as is in the said last mentioned Act
 ‘ mentioned: And whereas it is expedient to allow the Exportation
 ‘ of any such Foreign Salt from the Port of *Bristol* in manner and
 ‘ for the Purpose aforesaid;’ Be it therefore enacted by the King’s
 ‘ Most Excellent Majesty, by and with the Advice and Consent of
 ‘ the Lords Spiritual and Temporal, and Commons, in this present
 ‘ Parliament assembled, and by the Authority of the same, same,
 ‘ That from and after the First Day of *July* One thousand eight
 ‘ hundred and ten, it shall and may be lawful to and for any Person
 ‘ or Persons within Twelve Months after the Importation and Land-
 ‘ ing thereof, to take, free of Duty, for the Purpose of immediately
 ‘ exporting the same in any Ship or Vessel not of less Burthen than
 ‘ Forty Tons, to *Newfoundland*, for curing Cod Fish, Ling or Hake,
 ‘ to be there caught, any Quantity exceeding Fifty Bushels at a
 ‘ Time of Foreign Salt, from and out of any Import Warehouse,
 ‘ Storehouse or Cellar, at the Port of *Bristol*, in which the same has
 ‘ been put according to the Regulations of the said Act made in the
 ‘ Thirty eighth Year aforesaid, upon giving the like Bond or Security,
 ‘ and under, subject and according to the Rules, Regulations, Re-
 ‘ strictions and Provisions by the said Act made in the Thirty ninth
 ‘ Year aforesaid, provided, settled or established, for or in respect of
 ‘ Foreign Salt taken free of Duty for the Purpose aforesaid, from and

Foreign Salt ex-
 ported to New-
 foundland from
 Import Ware-
 houses in *Bristol*,
 Duty-free.

Regulations of
39 G. 3. c. 65.
extended to
Bristol.

out of any Import Warehouse, Storehouse or Cellar, at the said Ports of *Poole, Dartmouth, Falmouth* and *Glasgow* respectively.

II. And be it further enacted, That all and singular the Rules, Regulations, Restrictions, Provisions, Matters and Things which are, in or by the said Act made in the Thirty ninth Year aforesaid, contained, provided, settled or established, for or in respect of or relating to the taking from or out of any Import Warehouse, Storehouse or Cellar, at either of the said Ports of *Poole, Dartmouth, Falmouth* or *Glasgow*, Foreign Salt, free of Duty, for the Purposes in the said Act of the Thirty ninth Year aforesaid mentioned, shall be observed, practised, applied and put in execution, for and in respect of the taking from or out of any Import Warehouse, Storehouse or Cellar, at the said Port of *Bristol*, as fully and effectually to all Intents and Purposes as if all and singular the said Rules, Regulations, Restrictions, Provisions, Matters and Things had been inserted and re-enacted in this Act, and hereby expressly enacted for and in respect of any such Foreign Salt as last aforesaid.

49 G. 3. c. 47.
§ 1. as to Salt
repealed.

III. And be it further enacted, That from and after the First Day of *January* One thousand eight hundred and eleven, so much of the Act passed in the Forty ninth Year of the Reign of His said present Majesty, intituled, *An Act to permit certain Articles, the Growth, Production or Manufacture of Europe, to be laden and shipped on board Ships arriving with British North American Produce, and Fish taken by Settlers in the British North American Colonies at any Port of Europe, in order to be exported to the principal Ports in the British Colonies and Plantations in North America*, as allows Salt, the Produce of any Part of *Europe*, South of *Cape Finislerre*, to be shipped and laden in any Port or Place whatever, in such Parts of *Europe* for Exportation direct to the several Ports in *North America*, in the said Act particularly enumerated, shall be and the same is hereby repealed.

C A P. LXI.

An Act for making Sugar and Coffee, of *Guadaloupe, Saint Eustatia, Saint Martin* and *Saba*, liable to the same Duty on Importation as Sugar and Coffee not of the *British* Plantations.

[9th June 1810.]

‘ WHEREAS the Islands of *Guadaloupe, Saint Eustatia, Saint Martin* and *Saba*, in the *West Indies*, have been surrendered to His Majesty’s Arms, and are now in His Majesty’s Possession, in consequence whereof the Trade of the said Islands is now by Law to be carried on in the same manner as the Trade of the other *British* Colonies and Plantations in the *West Indies*: And whereas it is expedient at present that Sugar and Coffee, the Growth, Production or Manufacture of the said Islands, should not be permitted to be imported into this Kingdom upon the same Terms as Sugar and Coffee of the *British* Plantations; Be it therefore enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That Sugar and Coffee, the Growth, Production or Manufacture of the Islands of *Gaudaloupe, Saint Eustatia, Saint Martin* and *Saba*, imported into this Kingdom, shall be subject to the Payment of

of such Duties, and also to such Rules, Regulations and Restrictions, Penalties and Forfeitures, as are by Law imposed and provided in the Case of Importations of Sugar and Coffee not of the *British* Plantations, any Law, Custom or Usage to the contrary notwithstanding.

C A P. LXII.

An Act for the more effectual Prevention of Smuggling in the
Isle of Man. [9th June 1810.]

‘ WHEREAS divers Laws have been made within these late
‘ Years for the more effectual preventing of Smuggling in the
‘ United Kingdom, and it is expedient that certain of the Provisions
‘ and Regulations therein contained should be extended to the *Isle of*
‘ *Man*, and also that some further Provisions and Regulations appli-
‘ cable to that Island should be made for the same important Object ;’
Be it therefore enacted by the King’s Most Excellent Majesty, by and
with the Advice and Consent of the Lords Spiritual and Temporal,
and Commons, in this present Parliament assembled, and by the Au-
thority of the same, That from and after the Fifth Day of *July* One
thousand eight hundred and ten, every Person being a Subject of
His Majesty, who shall be found or taken on board or discovered to
have been on board any Ship, Vessel or Boat found or discovered to
have been within any Bay, Harbour, River or Creek of or belong-
ing to the *Isle of Man*, or at anchor or hovering within Three Leagues
of the Shores thereof, such Ship, Vessel or Boat having on board any
Spirits, Tea, Tobacco, Coffee or Salt liable to Forfeiture by any Act
or Acts of Parliament in force on or immediately before the passing of
this Act, and who shall not prove that he was only a Passenger on
board such Ship, Vessel or Boat, and every Person found aiding or
assisting in unshipping any Spirits, Tea, Tobacco, Coffee or Salt,
being illegally on board such Ship, Vessel or Boat, within the Limits
of any of the Ports of the said Isle without Payment of the Duties due
thereon, or having, or who shall be found carrying, conveying, con-
cealing or assisting in the carrying, conveying or concealing any Spirits,
Tea, Tobacco, Coffee or Salt, which shall have been clandestinely im-
ported or illegally landed in the said Isle, or who shall be found aiding
or assisting in the loading or putting into any Ship, Vessel or Boat for
the Purpose of being exported from the said Isle, any Spirits, Tea,
Tobacco, Coffee or Salt, shall, for every such Offence, forfeit the
Sum of One hundred Pounds, or Treble the Value of the Goods
so illegally unshipped, carried away, conveyed or concealed, or loaded
or put off for the Purpose of Exportation at the Option and
subject to the Election and Discretion of the Commissioners of the
Customs in *England*; and every such Offence may be enquired of, ex-
amined, tried and determined in any Courts to be holden in His Ma-
jesty’s Name, or by virtue of his Authority in the said *Isle of Man*,
according to the usual Course of Proceeding in such Courts respec-
tively, at the Election of the said Commissioners.

Persons found on
board Vessels or
employed in un-
shipping Spirits,
&c.

or in loading
Spirits, &c.

Penalty.

Offences where
tried.

II. And be it further enacted, That the Statement, Allegation
or Averment of the Fact, that the said Commissioners had made such
Option or Election, or exercised such Discretion in the Information
for the Recovery of either the Penalty of One hundred Pounds, or
Treble the Value of the Goods, shall be deemed and taken to be suf-
ficient Evidence to found or warrant a Conviction on such Informa-

Averment that
Commissioners of
Customs have
made Election as
to Penalty ad-
mitted.

5 G. 3. c. 39.

for Recovery of
Penalties ex-
tended to this
Act.

Officers of the
Army, &c. may
detain certain
Persons found in
Vessel.

May convey
them to the Go-
vernor, &c.
Oath.

tion without any further or other Evidence of the Fact that the Commissioners had made such Option or Election, or exercised such Discretion; and all the Powers and Authorities of an Act passed in the Fifth Year of the Reign of His present Majesty, intituled, *An Act for the more effectually preventing the Mischiefs arising to the Revenue and Commerce of Great Britain and Ireland, from the illicit and clandestine Trade to and from the Isle of Man*, in relation to the issuing of Process in the said *Isle of Man*, and requiring Bail of the Offenders, and all the Provisions, Pains, Penalties and Forfeitures therein contained for compelling the Appearance of Persons residing and being in the *Isle of Man*, either to answer any Information exhibited in any of the Courts in the said *Isle*, or to give Evidence upon the Trial of any Cause therein depending, shall extend and be deemed, construed and taken to extend to, and shall apply and be in full Force and put in Execution in every case where any Information shall be exhibited in any of the said Courts for the Recovery of any Penalty under this Act, as fully and effectually to all Intents and Purposes as if the said Powers, Authorities, Provisions, Pains, Penalties and Forfeitures were repeated and re-enacted in this Act.

III. And be it further enacted, That it shall be lawful for any Commissioned Officer of the Army, or the Militia while embodied, or for any Commissioned Officer of any other of His Majesty's Military Forces while on Service in the said *Isle of Man*, or for any Commissioned Officer of the Navy or Marines, or for any Officer of the Customs, and he and they is and are hereby authorized, empowered and required to stop, arrest and detain any Person, being a Subject of His Majesty, who shall be found on board any Ship, Vessel or Boat found or discovered to have been within any Bay, Harbour, River or Creek of or belonging to the *Isle of Man*, or at anchor or hovering within Three Leagues of the Shores thereof, having on board any Spirits, Tea, Tobacco, Coffee or Salt, liable to Forfeiture by any Act of Parliament in force on and immediately before the passing of this Act, or who shall be found aiding or assisting in the unshipping any Spirits, Tea, Tobacco, Coffee or Salt within the Limits of any of the Ports of the said *Isle of Man*, without Payment of the Duties due thereon, or who shall be found carrying, conveying or concealing, or assisting in the carrying away, conveying or concealing any Spirits, Tea, Tobacco, Coffee or Salt, which shall have been clandestinely imported or illegally landed in the said *Isle*, or who shall be found aiding or assisting in loading or putting into any Ship, Vessel or Boat, any Spirits, Tea, Tobacco, Coffee or Salt, for the Purpose of being exported from the said *Isle*, and to convey him before the Governor, Deputy Governor, or a Deemster there, who is and are hereby authorized and required, upon Proof on Oath (which he and they is and are hereby authorized and required to administer) by One or more credible Witness or Witnesses, that such Person was so found or taken, or having been on board any such Ship, Vessel or Boat, or aiding or assisting in such unshipping, carrying away, conveying or concealing of Spirits, Tea, Tobacco, Coffee or Salt, without Payment of the Duties, or in the loading or putting into any Ship, Vessel or Boat, any Spirits, Tea, Tobacco, Coffee or Salt, for the Purpose of being exported from the said *Isle*, unless any such Person found on board of any such Ship, Vessel or Boat, shall prove to the Satisfaction of such Governor or Deputy

Deputy Governor, or Deemster, that he was only a Passenger on board such Ship, Vessel or Boat, to hold such Person to Bail, with Two good and sufficient Sureties, in the Sum of One hundred Pounds each, for the Appearance of such Person to answer to any Information that may be brought against him in that Behalf in the said *Isle of Man*, and to pay such Penalty, and abide any Judgment for any such Offence; and in Default of any such Person finding good and sufficient Bail as aforesaid, or until the same shall be found, to commit such Person to any Goal or Prison, or House of Correction, in the said Isle, to answer as aforesaid: Provided nevertheless, that if any Person so found, or discovered and taken, arrested or detained, is capable and desirous of entering and serving as a Seaman or Marine in any of His Majesty's Ships of War, or being a Seaman or Seafaring Man, is fit and able to serve His Majesty, it shall be lawful for the Officer or Officers of the Army, Militia, Navy or Marines, or of the Customs, by whom such Person was taken, arrested and detained as aforesaid, or the Governor, Deputy Governor or Deemster, before whom any such Person may be carried, and such Officer and Officers is and are hereby authorized, empowered and required, instead of taking such Person before the Governor, Deputy Governor or Deemster, and such Governor, Deputy Governor or Deemster, is and are hereby authorized, instead of holding any such Person to Bail, to carry and convey, or cause to be carried or conveyed, such Person on board any of His Majesty's Ships of War, in order to his being entered and received as a Seaman or Marine; or any such Person being a Seaman or a Seafaring Man may, if fit and able to serve His Majesty, be impressed into His Majesty's Naval Service, and for that Purpose may be conveyed to any Ship or Vessel of War in His Majesty's Service, or delivered over to any Officer employed in His Majesty's Imprest Service; and such Person being so entered and received or impressed, shall not on any Account be discharged from His Majesty's Service during the Term of Five Years, and from thence until the Conclusion of any War in which His Majesty may be engaged at the Period of the Expiration of such Five Years, unless disabled within that Time by unavoidable Accident or bodily Infirmary; and any Officer of His Majesty's Navy or Marines, who shall presume knowingly and wilfully to discharge any Person so entered and received or impressed as aforesaid contrary to this Act, or shall by false Muster or Certificate, or in consideration of a Gratuity of any Kind, or by any other collusive or evasive Ways or Means whatsoever, suffer or permit any such Person to avoid the actual Service hereby intended, every such Officer shall, on Conviction for any such Offence, either by any Court Martial, or on any Information filed by His Majesty's Attorney General, be cashiered: Provided always, that no Person so taken, arrested or detained, and entering as a Seaman, or being impressed, shall be liable to forfeit any such Penalty of Treble Value, or One hundred Pounds as aforesaid, unless such Person shall thereafter desert His Majesty's Service, or quit the same without being duly discharged.

IV. Provided always, and be it further enacted, That where by reason of any Person so found and taken, arrested or detained as aforesaid, entering to serve His Majesty, or being impressed as aforesaid, no Penalty or Forfeiture shall be recoverable, then, and in such Case, it shall be lawful for the Commissioners of Customs, and they are hereby required on Proof made to their Satisfaction of such Arrest,

Bail.

Commitment.

In what case may be put on board Ship of War to serve His Majesty, &c.

Discharging, &c. such Persons.

Cashiered.

Proviso.

Reward to Officer where Penalty not recovered.

45 G. 3. c. 121.

Powers of Seizure to Officers of the Army, &c.

Provido.

Shares to be paid to Officers in lieu of Shares of Seizures.

Taking and Detention as aforesaid, and of such entering or impressing into His Majesty's Service as aforesaid, to reward the Person or Persons who would, if any Penalty or Forfeiture had been recoverable, have been entitled to any Part thereof, with such Sum, not exceeding the Sum of Twenty Pounds, as under all the Circumstances of the Case shall to such Commissioners appear proper; and every Officer of the Army, Militia, Navy or Marines, or of the Customs, detaining and convicting any Person or Persons liable to be detained or prosecuted under an Act passed in the Forty fifth Year of the Reign of His present Majesty, for the Prevention of Smuggling, shall be allowed such Sum of Money for such Person not exceeding Twenty Pounds, exclusive of any Share of the Penalty which may be recovered from any such Offender, and such Reward may and shall be paid by the said Commissioners out of any Monies in their Hands arising from the Duties on Foreign Spirits, Tea or Tobacco.

V. And be it further enacted, That every Commissioned Officer of the Army, or the Militia while embodied, or any Commissioned Officer of any other of His Majesty's Military Forces while on Service in the said *Isle of Man*, and every Commissioned Officer of the Navy or Marines shall have the like Powers of Seizure as are vested in the Officers of the Customs in the said *Isle of Man*; and all Powers, Authorities, Exemptions and Exceptions, and all Privileges and Protections in relation to any other Acts, Matters or Things done, or that may be done, by any Officer of the Customs, under any Act of Parliament for the Protection of the Revenue of Customs, or the Prevention of Smuggling in *Great Britain* or the said *Isle of Man*, shall extend and be deemed and construed to extend to, and be in full Force and put in execution in all Cases, and for all Purposes, and be used and exercised in the said *Isle of Man* by any such Commissioned Officer of the Army, Militia, or the Military Forces while on Service there, or by any Commissioned Officer of the Navy or Marines, as fully and effectually, to all Intents, Constructions and Purposes, as if the said Powers, Authorities, Exemptions, Exceptions, Privileges and Protections, were at large repeated and re-enacted in this Act; Provided, that all Ships, Vessels, Boats and Goods seized by any such Commissioned Officers under the Provisions of this Act, shall forthwith be delivered to, or lodged in the Custody of the proper Officer of the Customs duly authorized to receive the same, who shall thereupon take an Account thereof, and give a Certificate that such Goods have been so lodged and deposited in his Custody or Possession.

VI. And be it further enacted, That in lieu of the Shares now by Law allowed to Officers of the Customs and other Persons legally authorized to seize any Spirits, Tobacco, Tea, Coffee or Salt, in the said *Isle of Man*, the Shares hereinafter mentioned shall be paid and allowed for and in respect of all such Seizures of Spirits, Tobacco, Tea, Coffee and Salt, which shall be made from and after the passing of this Act, that is to say, in the Case of any such Seizures in any Bay, Harbour, River or Creek of the said *Isle*, if the Officer of the Customs or other Person making the same shall also arrest, stop and detain the Persons or some or one of them who shall be or shall have been employed in navigating the Ship, Vessel or Boat or on board which such Spirits, Tobacco, Tea, Coffee or Salt shall be or shall have been brought, found or seized, or in unloading, removing or carrying away such Spirits, Tobacco, Tea, Coffee or Salt, and shall take or convey-

or

or cause every Person so arrested, stopped or detained, to be taken or conveyed before the Governor or Deputy Governor or a Deemster of the said Isle, or on board any of His Majesty's Ships of War, or to any Officer employed in His Majesty's Imprest Service, to be dealt with as the Case may be agreeably to the Directions of this Act, then, and in such Case, such Officer or other Person as aforesaid shall, upon the Condemnation of such Spirits, Tobacco, Tea, Coffee or Salt, be entitled to and shall be paid One Moiety of the Net Proceeds thereof, and in the Case of such Seizures made on Shore in the said Isle, if the Officer or other Person making the same shall also stop, arrest and detain the Persons, or some or one of them from whom the same shall be seized, and shall take or carry, or cause every Person so arrested, stopped or detained, to be taken or carried before the said Governor or Deputy Governor or a Deemster, to be dealt with according to Law, then, and in such Case, such Officer of the Customs or other Persons so making Seizure of Spirits, Tobacco or Snuff, shall be entitled to and shall be paid One Moiety of the Net Proceeds thereof; and in case of the Seizure of such Articles, whether on the Water or on Shore in the said *Isle of Man*, if the Officer of the Customs or other Person making the same shall also seize and prosecute, or cause to be prosecuted the Ship, Vessel or Boat in or on board of which such Spirits, Tobacco or Snuff shall be or shall have been brought, found or seized, or the Cattle or Carriages used or employed in moving or conveying the same, but shall not also stop, arrest and detain the Persons or some or one of them who shall be or shall have been employed in navigating the Ship, Vessel or Boat in or on board which such Spirits, Tobacco, Tea, Coffee or Salt, shall be or shall have been brought, found or seized, or in unlading, removing or carrying away such Spirits, Tobacco, Tea, Coffee or Salt, or the Persons or some or one of them from whom the same shall be seized and taken, or carry or cause all and every such Persons so stopped, arrested or detained, to be taken or carried before the Governor or Deputy Governor or a Deemster of the said Isle, to be dealt with according to Law; then, and in such Case, the Officer of the Customs or other Persons making such Seizure shall be entitled to and shall be paid only One Third of the Proceeds of such Spirits, Tobacco, Tea, Coffee or Salt; and in case any such Officer or other Person as aforesaid, shall make Seizure of any Spirits, Tobacco, Tea, Coffee or Salt, and shall neither seize and prosecute or cause to be prosecuted, the Ship, Vessel or Boat, Cattle or Carriages, in or on board which such Spirits, Tobacco, Tea, Coffee and Salt shall be or shall have been brought, found or seized, or which shall be used or employed in removing or conveying the same, nor shall stop, arrest and detain the Persons, or some or one of them, who shall be or shall have been employed in navigating the Ship, Vessel or Boat in or on board which such Spirits, Tobacco, Tea, Coffee or Salt shall be or shall have been brought, found or seized or in unlading, removing or carrying such Spirits, Tobacco, Tea, Coffee or Salt, or from whom the same shall be seized or taken, or shall not carry or convey, or cause all and every such Persons so arrested, stopped or detained, to be carried or conveyed before the Governor or Deputy Governor, or a Deemster of the said Isle; then, and in such Case, the Officer or other Person making such Seizure shall be entitled to and shall be paid only One Fourth Part of the Net Proceeds of such Spirits,

L 4

Tobacco,

Provido,

Tobacco, Tea, Coffee or Salt; Provided that in all Cases where any such Officer or other Person as aforesaid shall, upon the Seizure of any Goods, whatever liable to Forfeiture, by any Act or Acts of Parliament, relating to the said *Isle of Man* or for the Prevention of Smuggling there, also seize the Carts, Horses, Cattle or Carriages made use of in the Removing, Carriage or Conveyance of any such Goods, and the same shall be condemned, such Officer or Officers or other Person or Persons, in every such Case, shall be entitled to Three Fourths of the Net Proceeds of such Carts, Horses, Cattle and Carriages respectively, after all Charges attending the Prosecution and Sale thereof shall be deducted.

Allowance to
Persons seizing
Spirits within
certain Limits.

VII. Provided also, and be it further enacted, That in all Cases where any such Officers and Persons as aforesaid shall seize within the Limits of any of the Ports of the *Isle of Man* or in any of the *British* or *Irish* Channels or elsewhere on the High Seas, within One hundred Leagues of any Part of the Coasts of *Great Britain* or *Ireland*, any Spirits which shall have been sunk or concealed under or in the Water within such Limits or Distance, every such Officer and Person so seizing such Spirits shall be, and he and they is, and are hereby allowed One Moiety of the Proceeds thereof, deducting the Charges of Condemnation and Sale.

Vessels con-
demned, how
disposed of.

VIII. And whereas it is expedient that Ships, Vessels and Boats seized and condemned in the *Isle of Man*, and which are calculated for illicit Trade, should be disposed of, and the Officers seizing the same rewarded according to the Practice in the like Cases in *Great Britain*; Be it therefore enacted, That upon the Condemnation of any Ship, Vessel or Boat, in the said *Isle of Man* of illegal Built or Construction, or which shall be illegally rigged or fitted, it shall and may be lawful for the Commissioners of the Customs in *England* to direct such Ship, Vessel or Boat to be disposed of, and the Produce thereof to be divided in the same manner as Ships, Vessels and Boats illegally built, constructed, rigged or fitted are now by Law directed to be disposed of, and the Produce thereof divided upon Condemnation in *Great Britain*; and when any such Ship, Vessel or Boat shall be broken up, the Officer or Officers of the Customs, or of the Army, Militia, Navy or Marines, or other Person or Persons by whom such Ship, Vessel or Boat shall have been seized, shall be entitled to, and in like manner paid the like Tonnage Rewards as are payable to the Officers seizing Ships, Vessels or Boats of such illegal Built, Construction, Rigging or Fitting, in *Great Britain*; that is to say, to such Officer or Officers for all such Vessels or Boats as shall exceed Four Tons by Admeasurement, which shall be seized and condemned, an Allowance of Forty Shillings *per* Ton, according to the legal Admeasurement thereof; and for all such Boats which shall not exceed Four Tons by Admeasurement, and which shall be seized and condemned, an Allowance of Fifty Shillings *per* Ton; and for all Ships, Vessels and Boats, which, on account of their Build, Construction, Denomination or Description are liable to Forfeiture by any Act or Acts of Parliament in force, or hereafter to be made, and which shall be liable to be broken up, and which said Ships, Vessels and Boats, at the time of the Seizure thereof, shall be found in Ballast or light, an Allowance of Thirty Shillings *per* Ton, to be paid upon the Condemnation of such Ships, Vessels and Boats, according to the legal Admeasurement.

Tonnage Re-
wards to Officers.

surement thereof; and also One Moiety of the Produce of the Materials of such Ships, Vessels or Boats respectively, after deducting therefrom the Charges of Condemnation and Sale.

IX. And be it further enacted, That if any Person or Persons whatever shall by Force or Violence assault, resist, oppose, molest, obstruct or hinder any Commissioned Officer of the Army or Militia while embodied, or any Commissioned Officer of His Majesty's Military Forces while on Service in the said *Isle of Man*, or any Commissioned Officer of the Navy or Marines, or any Officer of the Customs, or any Person or Persons aiding or assisting in the due Execution of the Powers and Authorities by this Act given or granted, such Person being thereof convicted by due Course of Law, shall be adjudged a Felon, and shall be transported for Seven Years, or sentenced to be imprisoned in any House of Correction or any Common Gaol in the said *Isle of Man*, and kept to hard Labour for any time not exceeding Three Years, at the Discretion of the Court before whom the Offender shall be tried and convicted as aforesaid; or if any Person or Persons shall maliciously shoot at, maim or dangerously wound any such Officer as aforesaid, while acting in the due Execution of his or their Duty, under any of the Powers, Authorities or Provisions of this Act, every Person so offending, and every Person aiding, abetting or assisting therein, shall, being thereof lawfully convicted, be adjudged guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy.

Obstructing
Officers.

Punishment.

Shooting at Of-
ficers

Death.

C A P. LXIII.

An Act to enable His Majesty to authorize the Exportation of the Machinery necessary for erecting a Mint in the *Brazils*.

[9th June 1810.]

‘ WHEREAS His Royal Highness the Prince Regent of Portugal and the *Brazils* is desirous of erecting and establishing a Mint in the *Brazils*, and of procuring and exporting the Machinery necessary for that Purpose from this Kingdom: And whereas Doubts may arise whether any Person in this Kingdom can execute the same, without being subject to certain Penalties and Forfeitures; Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for any of His Majesty's Principal Secretaries of State, by Writing or Warrant under his Hand and Seal, under such Restrictions and Conditions, and in such manner as His Majesty shall think proper, to license and authorize all and every Person and Persons whom the said Prince Regent or any Person authorized by him for that Purpose, shall think fit to employ for such Purposes, to have in his or their Power, Custody or Possession, with intent to export, and to collect, obtain, make, apply for, or cause or procure to be made, with intent to export, and to export, and to do or cause to be done all or any Acts whatsoever, in or for, or towards the exporting, or which shall be necessary to enable him or them to make, obtain, have or procure for exporting, and to enable him or them to export any Machinery, Tools, Utensils, Implements or other things of what Nature soever,

Secretary of
State may autho-
rize Exportation
of Machinery for
erecting a Mint
in the *Brazils*.

or

or any Parts thereof, or any Models or Plans or Parts thereof, for the effectually enabling such Persons as aforesaid to erect and establish, or cause to be erected and established, such Mint as aforesaid; and all Acts, Matters and Things which shall be done in pursuance of and according to such Licence and Authority, shall be and be deemed and taken to be lawful, any Law or Statute to the contrary notwithstanding.

Officers of the
Customs may
enter Machinery,
&c.

II. And be it further enacted, That it shall be lawful for the Officers of His Majesty's Customs, and they are hereby required to take Entries and sign Cocquets, Warrants and Sufferances, and to do or cause to be done all Acts necessary for the entering outwards, shipping or exporting such Machinery, Tools, Utensils, Implements, Models, Plans and Things as aforesaid, or any Parts thereof respectively; and that the same or the Packages thereof, or the Goods packed therewith, shall not be liable to Seizure by such Officers or others; and also that it shall be lawful for all Captains and Masters of Ships, Vessels, Lighters or Boats, to take the same on board thereof, for the Purpose of exporting the same, and in their said Ships, Vessels, Lighters and Boats to export the same, as fully and effectually to all Intents and Purposes as any other Goods or Merchandize may now by Law be exported.

Secretary of State
may authorize
Contracts with
Artificers to go
out of the King-
dom;

III. And be it further enacted, That it shall be lawful for any of His Majesty's Principal Secretaries of State, by such Writing or Warrant as aforesaid, to license and authorize any Person or Persons whom he shall name for that Purpose, to encourage, persuade, contract and agree with such Artificers and Workmen, and others, as he or such Person or Persons shall think it necessary to employ for the Purpose of erecting and establishing such Mint as aforesaid, or for any Purpose relative thereto, to go out of this Kingdom for any such Purpose, and all Acts done by such Person and Persons, and such Workmen, Artificers and others, in conformity to such Licence and Authority, shall be deemed and taken to be lawful Acts, any Law or Statute to the contrary notwithstanding.

and to do any
thing necessary
for executing
the Work.

IV And, for the better enabling any such Person or Persons to undertake and execute such Work as aforesaid, Be it further enacted, That it shall be lawful for any of His Majesty's said Principal Secretaries of State, by such Writing or Warrant as aforesaid, to license and authorize any Person or Persons to do or cause to be done any other Matter, Act or Thing not herein specified, which it shall appear necessary or expedient to such Secretary to license or authorize, for the enabling such Person or Persons, or the Persons employed by him or them to execute such Work as aforesaid; and all Acts, Matters and Things done in conformity to such Licence and Authority, shall be and be deemed and taken to be lawful, any Law or Statute to the contrary notwithstanding; and in case any Question shall arise whether any Act, Matter or Thing done or procured to be done by any such Person relative to such Work as aforesaid, hath been done or procured to be done in conformity to any such Licence or Authority as aforesaid, or according to the Intent and Meaning thereof, it shall be lawful for any of His Majesty's Principal Secretaries of State, upon Application made by any such Person, or on his Behalf, by Writing under his Hand and Seal, to declare whether the same hath been done in conformity thereto, or according to such Intent and Meaning, and the Declaration of His Majesty's said Secretary

Secretary of
State to deter-
mine Ques-
tions.

tary so made, that the same hath been so done, shall be final and conclusive Evidence that the same hath been so done, and shall be received in all Cases as such final and conclusive Evidence.

C A P. LXIV.

An Act to permit the Removal of Goods, Wares and Merchandize, from the Port in *Great Britain* where first warehoused, to any other warehousing Port for the Purpose of Exportation.

[9th June 1810.]

WHEREAS it may be expedient to permit the Removal of Goods, Wares and Merchandize from the Port where first warehoused to any other warehousing Port within *Great Britain* for the Purpose of Exportation; Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, it shall and may be lawful for the Importer, Proprietor or Consignee of any Goods, Wares or Merchandize which have been or may be lodged or deposited in any Warehouse or Warehouses in the Port of *London*, under the Regulations of an Act passed in the Forty third Year of the Reign of His present Majesty, intituled, *An Act for permitting certain Goods imported into Great Britain, to be secured in Warehouse without Payment of Duty*, or which have been or may be lodged or deposited in any Warehouse or Warehouses at any other Port of *Great Britain*, under the Regulations of an Act passed in the Forty fifth Year of the Reign of His present Majesty, intituled, *An Act to authorize the Lords Commissioners of His Majesty's Treasury to permit certain Articles to be warehoused in different Ports in Great Britain, upon giving Security for the Payment of Duties upon the Articles therein mentioned*, or of another Act passed in the Forty sixth Year of the Reign of His present Majesty, intituled, *An Act to extend the Provisions of an Act made in the Forty third Year of His present Majesty, for permitting certain Articles to be warehoused in Great Britain, to other Articles not therein mentioned; and to alter the Condition of the Bond directed to be given by an Act of the Twenty fourth Year of His present Majesty by the Masters and Owners of Vessels and Boats licensed by the Lords of the Admiralty*, to remove any such Goods, Wares or Merchandize from any of the said Ports, either by Sea or Inland Navigation to any other Port of *Great Britain*, where the like Articles are by Law allowed to be secured in Warehouses under the Regulations of the said Acts or either of them, for the Purpose of being exported from such Port, subject to the Rules, Regulations and Restrictions hereafter mentioned; that is to say, before any such Goods, Wares or Merchandize shall be taken from or delivered out of any such Warehouse or Warehouses as aforesaid, the Importer, Proprietor or Consignee shall and he is hereby required to give at least Twenty four Hours Notice in Writing to the Warehouse-keeper or other proper Officer in whose Charge such Goods, Wares or Merchandize may then remain, of his Intention so to remove the same, specifying in such Notice the particular Goods, Wares or Merchandize so intended to be taken out of such Warehouse,

Goods secured in Warehouse under 43 G. 3. c. 132.

43 G. 3. c. 87.

46 G. 3. c. 137.

may be removed to another Port for Exportation.

Conditions.

Officer to take
Account.

Duty paid on
Deficiency.

Contents of
Package, &c.
marked.
Entry.

Bond for due
Delivery, &c.

Certificate of
Delivery.

Account of
Packages trans-
mitted by Col-
lector, &c. of one
Port to Collector,
&c. of the other.

house, the Number, Marks and Descriptions of each Package, and the Kind and Species of Goods, Wares or Merchandize therein contained, and in what Ship imported, and by whom entered Inwards; and thereupon the proper Officer shall take a true and particular Account thereof by Weight, Gauge, Tale or otherwise, as the Case may require, and when by reason of any Effect produced by Weather or from the Length of time, any such Goods, Wares or Merchandize or any Part thereof may have been so warehoused, the same shall be deficient of the actual Weight or Quantity ascertained and taken Account of at the time of the Importation thereof, then; and in such Case, the Importer, Proprietor or Consignee shall, and he is hereby required to pay the proper Officers the full Duties of Customs and Excise upon such Deficiency, previous to the Removal of such Goods, Wares or Merchandize from the Warehouse.

II. And be it further enacted, That the Contents shall be marked on each and every Package intended to be removed, in distinct and legible Characters, in all cases where the same shall be practicable, and the Importer, Proprietor or Consignee shall make a due Entry of the Goods, Wares or Merchandize, with the proper Officer of the Customs and also of the Excise, in case the Articles are subject to any Duty of Excise, specifying in such Entry the Name of the Ship or Vessel in which imported, and the Master thereof, when entered Inwards, and by whom, also the Number and Marks of the Packages, the Kind or Species of Goods, Wares or Merchandize, together with the Weight or Quantity contained in each, and to what Port the same is intended to be removed for the Purpose of being exported, and such Importer, Proprietor or Consignee, with One other sufficient Surety, shall also enter into Bond to His Majesty, his Heirs and Successors, in Treble the Value of such Goods, Wares or Merchandize, with Condition that the same and every Part thereof shall be truly delivered, without Alteration or Diminution, into the Custody and Possession of the Collector and Comptroller of the Customs at the Port of *Great Britain*, to which the same is intended to be conveyed and to be named and expressed in such Bond, and to produce a Certificate under the Hands and Seals of such Collector and Comptroller or principal Officers, that the Goods have been so delivered into their Custody and Possession within Three Months from the Date of such Bond, such Certificate to be produced to the Commissioners of the Customs in *England*, in case the Goods are removed from the Port of *London*, and to the Commissioners of the Customs in *Scotland*, if removed from *Leith*, and to the principal Officers of the Customs, if such Removal takes place from any other Port of *Great Britain*.

III. And be it further enacted, That a particular Account of the Weight, Quantity and Species of the Goods, Wares or Merchandize, with the Marks and Numbers of the Packages shall be transmitted by the proper Officer or Officers of the Customs of the Port from which the Removal shall take place, to the Collector and Comptroller of the Customs at the Port to which the Articles are intended to be removed; and upon their Arrival at such Port, due Entry shall be made thereof with the proper Officers of the Customs, specifying the Date of Importation, by whom entered Inwards, and the Port from whence removed, and the Name of the Ship, and to what Port or Place they are intended to be exported; and the Exporter or Exporters shall, together with the Master and other Person having or taking the

the Charge or Command of the Ship or Vessel in which such Goods, Wares or Merchandize are intended to be exported, and One other sufficient Surety, to be approved of by the Collector and Comptroller of the Customs at the Port of Exportation, enter into Bond to His Majesty, his Heirs and Successors, in Treble the Value of the same, for the due Exportation of such Goods, Wares or Merchandize, and for producing a Certificate of the landing thereof at the Port or Place for which entered, according to the Directions of the said Act of the Forty third Year of His present Majesty; Provided that if upon the further Examination of the said Goods, Wares and Merchandize, the same or any Part thereof shall be found to be less in Quantity or Weight than when delivered from the Warehouse at the Port of Importation, the Exporter or Proprietor thereof shall immediately pay the full Duties of Customs and Excise upon the Deficiency, previous to the Goods being allowed to be shipped for Exportation.

Bond given for
Exportation.

43 G. 3. c. 132.
§ 13.

IV. And be it further enacted, That if after the Arrival of such Goods, Wares or Merchandize, at any other warehousing Port, the Proprietor thereof shall not have an Opportunity of shipping the same for Exportation, it shall and may be lawful to lodge and deposit the Articles in any Warehouse approved under the Regulations of the said Acts passed in the Forty fifth and Forty sixth Years of the Reign of His present Majesty, provided an Entry be made for that Purpose with the proper Officers of the Customs, and Bond given to His Majesty, his Heirs and Successors, by the Proprietor or his Agent, and One sufficient Surety to be approved of by the Collector and Comptroller of the Customs in such Port, in double the Amount of the full Duties due and payable on the Importation of such Goods, Wares and Merchandize, with Condition that the same shall either be duly exported, or that the full Duties of Customs due and payable on the Importation thereof shall be paid to the proper Officers within such Period of time as was allowed for that Purpose at the Port where the same were first entered and warehoused; but if the Proprietor shall fail or neglect to make such Entry and give such Security, it shall and may be lawful for the Commissioners of the Customs in *England* or *Scotland* respectively to cause all such Goods, Wares and Merchandize, which shall not be shipped for Exportation to be disposed of in the same manner as Goods, Wares and Merchandize are directed to be disposed of by the said Act of the Forty third Year of the Reign of His present Majesty.

In what Case if
Goods may be
warehoused,

Bond for Ex-
portation taken.

43 G. 3. c. 132.

V. And be it further enacted, That whenever any Goods, Wares or Merchandize, removed from the Port of Importation to any other warehousing Port, are secured in Warehouses under the Authority of this Act, all and every the Provisions, Powers, Authorities, Penalties, Forfeitures, Regulations, Restrictions, Acts, Matters and Things relating to the landing, warehousing, keeping, inspecting, taking Account of or otherwise securing of Goods, Wares and Merchandize, under the said Act of the Forty third Year of the Reign of His present Majesty, and of the Duties due and payable thereon, shall, in so far as the same are applicable, and except where the same are altered or varied by this Act, be from thenceforth construed to extend to the Goods, Wares and Merchandize so removed from the original Port of Importation and secured in Warehouses at any other warehousing Port, in like manner in every respect, and as fully and amply as if

Powers of
43 G. 3. c. 132.
relating to ware-
housing, &c,
extended to this
Act.

if the said Provisions, Powers, Authorities, Penalties, Forfeitures, Regulations, Restrictions, Acts, Matters and Things had been repeated and re-enacted in this Act.

C A P. LXV.

An Act for uniting the Offices of Surveyor General of the Land Revenues of the Crown, and Surveyor General of His Majesty's Woods, Forests, Parks and Chases.

[9th June 1810.]

His Majesty may appoint Commissioners to transact the Business of Surveyor General of Land Revenue and Surveyor General of Woods.

WHEREAS in order to the better Survey and Management of the Honours, Castles, Lordships, Manors, Forests, Chases, Parks, Messuages, Lands, Tenements, Woods, Services, Revenues, Possessions and Hereditaments of His Majesty, it is expedient that the Business hitherto severally transacted by the Surveyor General of Land Revenue of the Crown, and the Surveyor General of His Majesty's Woods, Forests, Parks and Chases, should be placed under the joint Management of certain Persons, to be appointed as hereinafter mentioned; and His Majesty hath been graciously pleased to signify His Royal Intention to place the same under such Management; but such His Majesty's gracious Intention cannot be in all Things carried into Effect without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled and by the Authority of the same, That in case His Majesty, his Heirs or Successors, shall at any time hereafter be graciously pleased, by his or their Letters Patent, to nominate and appoint any Persons not exceeding Three in Number, to be Commissioners for executing the Office and Duties of His Majesty's Surveyor General of all and singular His Majesty's Honours, Castles, Lordships, Manors, Forests, Chases, Parks, Messuages, Lands, Tenements, Woods, Services, Revenues, Possessions and Hereditaments whatsoever, within that Part of *Great Britain* called *England*, and the Principality and Dominion of *Wales*, as well within Liberties as without; and also the Office and Duties of Surveyor General of all and singular His Majesty's Woods whatsoever in the North Parts of *England* beyond the River *Trent*, in the Survey, Ordering and Government of His Majesty's Court of Exchequer, then being or thereafter happening to be, and of all and singular His Majesty's Woods whatsoever in the Parks, Forests and Chases, and in His Majesty's Lands of the ancient Inheritance of His Majesty's Crown, being in the North Parts of *England* beyond the River *Trent* aforesaid; and the Office and Duties of Surveyor General of all and singular His Majesty's Woods whatsoever in the Parks, Forests and Chases, and in His Majesty's Lands of the ancient Inheritance of His Majesty's Crown, being in the Parts of *England* on this Side the River *Trent* aforesaid, in the Survey, Ordering and Government of the same Court; the Business hitherto transacted, and the Powers exercised by the Surveyor General of the Land Revenue of the Crown, by whatsoever Name or Names of Office the said Officer is or hath been called or denominated in any Letters Patent, Act of Parliament, or otherwise

otherwise howsoever; and also the Business hitherto transacted, and the Powers exercised by, and the Revenue under the Management of the Surveyors or Surveyor General of His Majesty's Woods, Forests, Parks and Chases, by whatsoever Name or Names of Office the said last mentioned Officers are or have been called or denominated in any Letters Patent, Act of Parliament, or otherwise howsoever, shall, from and immediately after such Appointment, be jointly conducted and managed by such Commissioners, so to be appointed as aforesaid, or by such other Commissioners, not being less than Two nor more than Three at any one time, as shall be hereafter from time to time named and appointed by His said Majesty, his Heirs and Successors, in that Behalf; and such Commissioners so to be appointed, shall be and be called "The Commissioners of His Majesty's Woods, Forests and Land Revenues;" and that all Acts, Matters and Things to be done by the said Commissioners so to be appointed as aforesaid, or by any Two of them, or (in Cases where the same shall be so ordered and directed by the Lord High Treasurer or any Three or more of the Commissioners of the Treasury, according to the Power herein contained) by any One of them, shall be as valid and effectual to all Intents and Purposes, as if the same had been done by any such Surveyor General of the Land Revenue of the Crown in discharge of his official Duties, or by any such Surveyors or Surveyor General of His Majesty's Woods, Forests, Parks and Chases, in discharge of their official Duties, or of any of them; and that from and immediately after such Appointment, all Sales, Enfranchisements, Purchases, Exchanges, Conveyances, Surveys, Views, Estimates, Orders, Directions, Drafts on the Governor and Company of the Bank of *England*, and all other Acts, Matters and Things whatsoever, which by virtue of any Law, Statute or Usage in force or practice, immediately before the passing of this Act, or by any Condition, Covenant or Clause in any subsisting Grant, Lease or Demise contained, are or may be, or ought to be made, done, performed or given or exercised by or to the said Surveyors or Surveyor General of the Land Revenue of the Crown, or by or to the said Surveyor General of His Majesty's Woods, Forests, Parks and Chases, may and shall be made, done, performed and given by and to the said Commissioners for the time being, or Two of such Commissioners, or (in Cases wherein the same shall be so ordered and directed by the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury, according to the Power herein contained) by or to One only of such Commissioners; and such Commissioners shall have and exercise the same Powers and Duties in all things, not hereby otherwise provided for, as the said Surveyors General respectively lawfully had and exercised or might exercise.

Description and Powers of Commissioners.

II. Provided always and be it further enacted, That the said Commissioners so to be appointed as aforesaid, and every of them, shall from time to time observe, perform, fulfil and keep all and singular the Orders, Rules, Instructions and Directions, not being contrary to the Provisions of this Act, which from time to time shall be made or given to them or any or either of them, by the Lord High Treasurer, or any Three or more of the Commissioners of His Majesty's Treasury for the time being, touching or concerning the Execution and Discharge of their said Office, and the Arrangement and Division of the Business of the same amongst the said Commissioners.

Commissioners to observe Directions of Treasury.

Treasury may direct Acts required to be done by Two Commissioners to be done by One.

Exception.

Form of Certificates.

Seals, &c. of Two Commissioners sufficient.

Reports required from Surveyors to be made by Commissioners.

Commissioners sworn.

III. Provided also, and be it further enacted, That it shall and may be lawful to and for the said Lord High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being, by Warrant under his or their Hand or Hands from time to time, and at all times hereafter, whensoever it shall by him or them be thought fit and expedient so to do, to order and direct all or any of the Acts, Matters or Things which by this Act are required to be done or made by or to Two at the least of such Commissioners (Drafts on the Governor and Company of the Bank of *England*, and Orders for the Sale of Stock standing in the Books of the said Governor and Company only excepted) to be done or made by or to One only of such Commissioners; and every such Order and Direction as last aforesaid shall be obeyed and observed by such Commissioners, and all other Persons whatsoever; and every Act, Matter or Thing done or made by or to One only of such Commissioners, in pursuance of any such Order or Direction, shall be as valid and effectual, to all Intents and Purposes, as if the same had been done or made by or to all such Commissioners; any thing herein contained to the contrary thereof in any wise notwithstanding.

IV. And be it further enacted, That from and after such Appointment, all Certificates, Conveyances, Drafts, Orders, Nominations, Reports and other Matters in Writing whatsoever, to be made by or to the said Commissioners, according to the Powers vested in the said Surveyor General of the Land Revenue of the Crown, or the Surveyors or Surveyor General of His Majesty's Woods, Forests, Parks and Chases, by any Act or Acts of Parliament now in force, shall and may be made according to the Forms prescribed or set forth in such Act or Acts of Parliament, substituting only the Title of the said Commissioners, in the Place of the Title of the Officer, in such Forms mentioned; and the Seals and Seal, and Signatures and Signature, or the Signatures or Signature only (as the Case may be) of any Two or (in Cases where the same shall be so ordered and directed by the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury, according to the Power herein contained) of any One of the Commissioners so to be appointed as aforesaid, to any such Certificate, Conveyance, Draft, Order, Nomination or other Matter in Writing, shall be as valid and effectual as if the same were signed and sealed, or signed only (as the Case may be) by the Whole of such Commissioners; and that all Certificates and Reports which by any Act of Parliament now in being were required to be made by the Surveyor General of the Land Revenue of the Crown, or the Surveyor General of His Majesty's Woods, Forests, Parks and Chases, shall be and the same are hereby required to be made by the said Commissioners or any Two of them, or (in Cases where the same shall be so ordered and directed as aforesaid, according to the Power herein contained) by any One of them, at such time and times, and in such Manner and Form as the said Surveyors or either of them were or was required to make the same.

V. And be it further enacted, That any of the said Commissioners so to be appointed as aforesaid, shall, before he presumes to act in pursuance of such Appointment, take the following Oath, to be administered by the Chief Baron, or One other of the Barons of His Majesty's Court of Exchequer; (that is to say)

‘ I *A. B.* do swear, That I will truly, honestly, faithfully and dili- Oath.
 ‘ gently execute the Duties of a Commissioner of His Majesty’s
 ‘ Woods, Forests and Land Revenue, and that I will not for the
 ‘ Execution thereof, or on any other Account or Pretext whatso-
 ‘ ever, receive, take or accept, in respect of the said Office, at any
 ‘ time, any Emolument, pecuniary or other, except or beyond the
 ‘ Salary allowed by a certain Act of Parliament, intituled, *An Act*
 ‘ *for uniting the several Offices of Surveyor General of the Land Re-*
 ‘ *venues of the Crown, and Surveyor General of His Majesty’s Woods,*
 ‘ *Forests, Parks and Chases.*’

VI. And be it further enacted, That in lieu of all Salaries, Wages, Salaries of Commissioners.
 Fees; Perquisites and Emoluments heretofore paid to or received,
 retained, had or enjoyed by the said Surveyors General or either
 of them, His Majesty may, by such Letters Patent as aforesaid,
 grant to the several Persons therein named the following Salaries
 and Allowances; (that is to say) to the Person first named therein,
 who shall be Chairman of the Commission, a Salary of Two thou-
 sand Pounds *per Annum*, and to the other Commissioners a Salary of
 One thousand two hundred Pounds *per Annum* each, which Salaries
 shall be clear of all Fees and Deductions; One Moiety of such re-
 spective Salaries to be paid in such manner as the Salary of the Sur-
 veyor General of Woods and Forests, and the other Moiety thereof
 respectively in such manner as the Salary of the Surveyor General
 of the Land Revenue have heretofore been paid; and the Salary of
 every such Commissioner shall commence and be computed from the
 Day of the Date of his Appointment, and be received from time
 to time as the same shall become due by quarterly Payments; and if
 any such Commissioner shall happen to be removed from his said
 Office, or to die after any of the aforesaid Days of Payment, and
 before another of the same Days of Payment shall occur, then such
 Salary shall be computed by the Day, and shall be paid to such Com-
 missioner, his Executors or Administrators, for so many Days as
 the said Office shall have been exercised by such Commissioner from
 the time of the last preceding Day of Payment of the said Salary.

VII. And be it further enacted, That from and after such Ap- Fees abolished.
 pointment, all Salaries, Wages, Fees and Perquisites whatsoever,
 heretofore paid to or received or had by the Surveyor General of the
 Land Revenue of the Crown, or the Surveyors or Surveyor General
 of His Majesty’s Woods, Forests, Parks and Chases, by whatsoever
 Name or Names the said Officers or either of them are or ought
 to be called (except the Fees usually paid upon the Assignment of Exception,
 Leases, and upon Searches for and Copies of Leases, Grants or
 other Documents belonging or relating to the said several Offices or
 any or either of them, or which may be in the Custody of the said
 Commissioners) shall cease and be abolished; and that the said Fees What Fees to be
accounted for.
 above excepted shall from thenceforth be paid to the said Com-
 missioners, to be by them accounted for in such manner as the same
 have heretofore been accounted for by the Surveyor General of the
 Land Revenue: Provided always, that where any Fine or Rent shall
 have been estimated and fixed for the granting or Renewal of any
 Lease, or any Sum of Money shall have been fixed and agreed upon
 for any Sale, Enfranchisement or Exchange before such Appoint-
 ment as aforesaid, then, and in every such Case, the Fees which would
 have been payable to the Surveyor General of the Land Revenue of
 50 Geo. III. M the

the Crown by the Lessee, Purchaser or Person making the Exchange, if this Act had not been made, shall be paid by any such Lessee, Purchaser or Person making Exchange, into the Hands of the said Commissioners, to be by them accounted for in the like manner as is hereinbefore directed with respect to Fees payable upon the Assignments of Leases, Searches and Copies hereinbefore mentioned.

Old Officers
continued.

New Officers
may be appointed
and removed.

VIII. And be it further enacted, That notwithstanding any such Appointment of Commissioners to be made in pursuance of this Act, all Deputies, Clerks, Officers, Ministers and Surveyors whatsoever, theretofore lawfully appointed to and then exercising or enjoying their respective Offices, shall remain and continue in their respective Offices, and in the Exercise and Enjoyment thereof, until they shall be duly removed or otherwise discharged therefrom; and that it shall and may be lawful to and for such Commissioners to be so appointed as aforesaid, or any Two of them, (or in Cases where the same shall be so ordered and directed by the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury, according to the Power herein contained for any One of them) from time to time, by and with the Consent and Approbation of the Lords Commissioners of the Treasury for the time being, or any Three or more of them, to nominate, appoint and remove all such Deputies, Clerks, Officers, Ministers and Surveyors, as have been heretofore usually nominated, appointed and removed by the said Surveyors General, or either of them, and also to nominate, appoint and remove, by and with the like Consent and Approbation, all such Deputies, Clerks, Officers, Ministers and Surveyors as have been heretofore usually nominated, appointed and removed in that manner, or as shall be necessary or proper for the due Execution of this Act; and all and every the Deputies, Clerks, Officers, Ministers and Surveyors, to be so nominated and appointed as aforesaid, shall be entitled to, and shall have, receive and enjoy such Salaries respectively, as the same Deputies, Clerks, Officers, Ministers and Surveyors, received, enjoyed or were entitled to, on the First Day of *January* in the Year of our Lord One thousand eight hundred and nine, or as shall be in that Behalf from time to time directed by the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being; and all such Salaries shall be payable Quarterly, on the Four most usual Feasts or Days of Payment of Rent in the Year.

48 G. 3. c. 78.

§ 6.

IX. And whereas by an Act made in the Forty eighth Year of His said Majesty's Reign, intituled, *An Act to improve the Land Revenue of the Crown in England, and also of His Majesty's Duchy of Lancaster*, it was, among other Things, enacted, That it should and might be lawful for the Surveyor General of His Majesty's Land Revenue, with the Approbation of and by the Direction of the Lord High Treasurer or Commissioners of the Treasury for the time being, or any Three of them, to contract and agree with any Body or Bodies Politick or Corporate, or Person or Persons holding any Messuages, Lands, Premises, Tenements or Hereditaments belonging to the Crown, for the Surrender of any Lease thereof, or to purchase and buy up any Lease or the Remainder of any Term of any Lease, of any Messuages, Lands, Premises, Tenements or Hereditaments belonging to the Crown, which might be convenient for the Publick Service, and might by any Three or more

more of the Commissioners of the Treasury for the time being, be deemed eligible to be purchased or bought up, and to pay the Consideration agreed to be paid for such Surrender or Purchase, to the Body or Bodies or Person or Persons entitled thereto, out of any Money arising from any Sales theretofore made, and which might be vested in the Bank of *England*, in the Three Pounds *per Centum* Consolidated Bank Annuities, or which might hereafter arise from any Sale of any Property belonging to the Crown under the same Act or the Acts therein recited: And whereas the Money arising from such Sales is by Law required to be paid into the Bank of *England*, and to be afterwards invested in the Purchase of Three Pounds *per Centum* Consolidated Bank Annuities, and no express Provision is made in the said in part recited Act for the Sale of such Annuities, in order to pay the said Consideration Money; Be it therefore further enacted, That it shall and may be lawful to and for the said Commissioners from time to time, as Occasion shall require, to sell and transfer any such Consolidated Bank Annuities as are in the said in part recited Act mentioned, and to convert the same into Money, in order to pay such Consideration Money as aforesaid; and the Governor and Company of the Bank of *England* are hereby authorized and required to permit Transfers of such Consolidated Bank Annuities to be from time to time made by the said Commissioners under the Hand of any One or more of the said Commissioners: Provided always, that a Note in Writing under the Hands of Two at least of the said Commissioners, specifying the Sum of Money required to be raised, and the Purpose for which the same is intended to be applied, shall be made out and delivered to the said Governor and Company, Three Days at the least before any such Transfer shall be made; and such Note shall be a sufficient Authority and Indemnity to the said Governor and Company for the Transfer made in pursuance thereof.

Commissioners may sell Stock to pay for Surrender of Leases or Purchase of Residue of Terms.

X. And be it further enacted, That from and after such Appointment of Commissioners as aforesaid, every Officer appointed to any Office by or under the said Commissioners shall take the following Oath, to be administered to him by any One or more of the said Commissioners, or by any Justice of the Peace or Magistrate, if any One or more of the said Commissioners shall direct that any such Officer shall be sworn before any Justice of the Peace or Magistrate, and which Oath may, in any such Case, be administered by any Justice of the Peace or Magistrate; (that is to say)

Officers to be sworn.

I *A. B.* do swear, That I will truly, honestly, faithfully and diligently execute the Duties of the Office to which I have been appointed by [or, under] the Commissioners of His Majesty's Woods, Forests and Land Revenue, and that I will not, for the Execution thereof, or on any other Account or Pretext whatsoever, receive, take or accept in respect of the said Office at any Time any Perquisite of any Description, or any Emolument, pecuniary or other, except or beyond the Salary and Allowances [if any] lawfully annexed to the said Office to which I have been appointed.

Oath.

So help me GOD.

XI. And be it further enacted, That all Surveys, Returns, Reports, Estimates, Accounts and other Matters and Things whatsoever, which any Officer or other Person whatsoever is by any Law

Surveys to be transmitted to Commissioners.

or Statute in force immediately before the passing of this Act required to transmit, render or deliver to the said Surveyor General of the Land Revenue of the Crown, or to the said Surveyors or Surveyor General of His Majesty's Woods, Forests, Parks and Chases, shall from and after such Appointment of Commissioners as aforesaid, be transmitted, rendered or delivered to the said Commissioners, at such time and times, and in such Manner and Form as the same were or ought to have been transmitted, rendered or delivered before the passing of this Act; and also, that it shall and may be lawful to and for the said Commissioners, or any One of them, and they or One of them are and is hereby authorized to receive a Verification, and take an Examination upon Oath, touching and concerning the Matters of such Surveys, Returns, Reports, Estimates, Accounts and other Matters and Things, of and from every Officer and other Person in all Cases wherein the said Surveyor General of the Land Revenue of the Crown, or the said Surveyors or Surveyor General of His Majesty's Woods, Forests, Parks and Chases, was immediately before the passing of this Act by Law authorized to do; and if any Officer or other Person shall, in any such Verification or Examination upon Oath as aforesaid be guilty of wilful and corrupt Perjury, such Officer or other Person so offending shall be liable to be punished in such manner as is provided by the different Laws and Statutes now in force for the Punishment of wilful and corrupt Perjury.

Perjury.

46 G. 3. c. 142.

§ 7.

XII. And whereas by a certain Act of Parliament made in the Forty sixth Year of the Reign of His present Majesty, intituled, *An Act for the better Regulation of the Office of Surveyor General of Woods and Forests*, it was enacted that from and after the passing of that Act, all Sums of Money, Bills and Drafts received by such Surveyor General on account of the Revenue under his Management, should, the Day after the same should have been received, or the Day after any Bill should have been accepted, if the same was not accepted at the Time it was received by the Receiver General, be paid by him into the Hands of the Governor and Company of the Bank of *England*, for which the Receipt of the Cashier or Cashiers of the said Governor and Company should be a sufficient Discharge; and all such Monies, Bills and Drafts so to paid to the Governor and Company of the Bank of *England*, should be placed to an Account to be raised in the Books of the said Governor and Company, and to be intituled, "The Account of the Publick Monies of the Surveyor General of the Woods and Forests," inserting the Name of such Surveyor General for the time being: And whereas such an Account hath been opened, and is now standing in the Name of the present Surveyor General of the Woods and Forests; and it is expedient, that upon the Appointment of such Commissioners, the Balance then remaining due upon such Account from the said Governor and Company, and all Bills and Drafts then standing upon such Account, and not then paid, should be transferred to and placed under the Disposal of the said Commissioners; Be it therefore enacted, That upon the Appointment of such Commissioners, the Balance which shall be then remaining due upon such Account from the said Governor and Company, and all Bills and Drafts then standing upon such Account, and not then paid, shall be forthwith placed to an Account to be raised in the Books of the said Governor and Company, intituled, "The Account of

Balance of Account of Surveyor General of Woods, &c. to be transferred to Commissioners.

“ of the Publick Monies of [*Names of the Commissioners*] the Commissioners of His Majesty's Woods, Forests and Land Revenue, “ being the Woods and Forests Fund;” and such Balance, and the Produce of such Bills and Drafts, when paid, shall be at the Disposal of the said Commissioners, in the manner hereinafter directed with respect to the Monies to be hereafter placed to the like Account; and from and after such Appointment of Commissioners as aforesaid, all Sums of Money, Bills and Drafts received by the Commissioners of His Majesty's Woods, Forests and Land Revenue, on account of the Revenue heretofore under the Management of the Surveyor General of His Majesty's Woods, Forests, Parks and Chases, shall, within Two Days after the same shall have been received, or within Two Days after any Bill shall have been accepted, completed and perfected, if the same be not accepted, completed and perfected at the time it shall be received by the said Commissioners, be paid by them into the Hands of the said Governor and Company, for which the Receipt of the Cashier or Cashiers of the said Governor and Company shall be a sufficient Discharge; and all such Monies, Bills and Drafts so to be paid to the said Governor and Company, shall from time to time be placed to such Account as is hereinbefore directed to be raised in the Books of the said Governor and Company, to be entitled as aforesaid.

Monies received on account of Revenue formerly under Management of Surveyor General of Woods paid into the Bank.

XIII. Provided nevertheless, and be it further enacted, That it shall and may be lawful for such Commissioners of His Majesty's Woods, Forests and Land Revenue, to reserve out of the Produce of the Revenue heretofore under the Management of the Surveyor General of His Majesty's Woods, Forests, Parks and Chases, for casual and ordinary Payments, in the Hands of any private Banker to be nominated by any Three or more of the Commissioners of His Majesty's Treasury, a Sum not exceeding Three thousand Pounds, to be drawn for by any Two or One of the said Commissioners as shall or may be directed by any Three or more of the Commissioners of His Majesty's Treasury; and if at any time the Sum so reserved shall be reduced below Three thousand Pounds, then it shall and may be lawful for such Commissioners, from time to time, to make up the same to the Sum of Three thousand Pounds, by Drafts, under the Hands of any Two or more of them, upon the Funds deposited in the Hands of the Governor and Company of the Bank of England.

Commissioners may retain for Current Payments.

XIV. And be it further enacted, That the Commissioners of His Majesty's Woods, Forests and Land Revenue, shall make all Payments required to be made out of the Monies to be deposited in the Bank of England, by Drafts under the Hands of any Two or more of them on the said Bank, and shall specify on such Draft the particular Service, Salary or other Charge, Purpose or Cause for which such Draft shall be given; and every such Draft shall also have marked in the Margin thereof a Figure corresponding to the Page in a Book to be kept by the said Commissioners, wherein Entry shall be made of the particular Service, Salary or other Charge, Purpose or Cause, for which such Draft shall be given.

How Payments to be made by Drafts on the Bank.

XV. And be it further enacted, That all Drafts drawn pursuant to the Directions of this Act, but not otherwise, shall be sufficient Authority to the Bank of England to pay the Amount thereof to the Persons mentioned in such Drafts, or to the Bearer of them.

Drafts Authority to the Bank.

On Death or
Resignation of
Commissioners
Cash in the Bank
to vest in Survi-
vors or Succes-
sors.

XVI. And be it further enacted, That upon the Death, Resignation or Removal of any One of the Commissioners of His Majesty's Woods, Forests and Land Revenue, being Three in Number, the Balance of Cash, together with all unpaid Bills and Drafts for which the said Commissioners shall, at the time of such Death or Removal, have Credit on their Account with the said Governor and Company, shall actually vest in Two surviving or remaining Commissioners in trust for His Majesty's Service, and forthwith, and before any thing shall be added thereto or drawn therefrom, be transferred, carried over and placed to the Account of such Two surviving or remaining Commissioners in trust for His Majesty's Service, to be applied to the said Service in pursuance of the like Drafts and Orders as aforesaid; and that upon the Death, Resignation or Removal of any One of the Commissioners of His Majesty's Woods, Forests and Land Revenue, being Two only in Number, and also upon the Death, Resignation or Removal of the whole Number of such Commissioners, the Balance of Cash, together with all unpaid Bills and Drafts for which the said Commissioners shall at that time have Credit on their Account as Commissioners of His Majesty's Woods, Forests and Land Revenue, with the Governor and Company of the Bank of *England*, shall, as soon as a new Commissioner or Commissioners shall be appointed to the said Office, so as to make the Number of Commissioners not less than Two, actually vest in such new Commissioner or Commissioners, and the surviving or remaining Commissioner, if any such shall be and continue in Office, and if not, then in such new Commissioners only, in trust for His Majesty's Service, and forthwith and before any thing shall be added thereto or taken therefrom, be transferred, carried over and placed to the Account of such new and surviving or remaining Commissioner or Commissioners, or of such new Commissioners only (as the Case may be) to be applied to the said Service in pursuance of the like Drafts and Orders as aforesaid; and the Commissioners of His Majesty's Woods, Forests and Land Revenue for the time being shall, and they are hereby directed to issue their Drafts and Orders, under the Hands of any Two or more of them as aforesaid, for all unsatisfied Charges and Demands on account of His Majesty's Service, although the same shall have accrued in the time of any former Commissioner or Commissioners of His Majesty's Woods, Forests and Land Revenue.

Commissioners
to keep Account
with the Bank.

XVII. And be it further enacted, That from and after such Appointment of Commissioners as aforesaid, the said Commissioners for the time being shall keep the Account with the Bank of all Monies issued on their Account for His Majesty's Service; and the same Commissioners, observing the Rules and Regulations hereby prescribed, shall not be answerable, either collectively or individually, for any Money which they the said Commissioners, or any or either of them, shall have so paid into the Bank of *England*; and the Governor and Company of the Bank of *England* shall be answerable for all the Monies which shall be actually received by them from such Commissioners.

Forging Drafts,
&c.

XVIII. And be it further enacted, That if any Person or Persons shall knowingly and wilfully forge, or counterfeit, or knowingly and wilfully act or assist in forging or counterfeiting the Name or Hand-writing of either of the said Commissioners of His Majesty's Woods, Forests and Land Revenue for the time being, to any Draft,
Instrument

Instrument or Writing whatsoever, for or in order to the receiving or obtaining any of the Money in the Hands or Custody of the Governor and Company of the Bank of *England* on account of the said Commissioners, or shall forge or counterfeit, or cause or procure to be forged or counterfeited, or knowingly and wilfully act or assist in the forging or counterfeiting any Draft, Instrument, or Writing in Form of a Draft made by the said Commissioners, or any or either of them, or shall utter or publish any such, knowing the same to be forged or counterfeited, with an Intent to defraud the said Governor and Company, or any Body Corporate, or any Person or Persons whomsoever, every Person or Persons so offending, being thereof lawfully convicted, shall be, and is and are hereby declared and adjudged to be guilty of Felony without Benefit of Clergy.

Felony without Clergy.

XIX. And whereas the Privilege of sending and receiving Letters and Packets free from the Duty of Postage is given to each of the said Surveyors General, and it is expedient to grant the like Privilege to the Commissioner first named in any Appointment to be made in pursuance of this Act; Be it therefore enacted, That from and after such Appointment of Commissioners, the first named Commissioner in such Appointment for the time being shall and may receive and send Letters and Packets free from the Duty of Postage, in such manner and under such Restrictions as other Officers mentioned in an Act made in the Fourth Year of the Reign of His present Majesty, intituled, *An Act for preventing Frauds and Abuses in relation to the sending and receiving Letters and Packets free from the Duty of Postage*; and also in another Act made in the Forty second Year of the Reign of His present Majesty, intituled, *An Act to authorize the sending and receiving Letters and Packets, Votes, Proceedings in Parliament and printed Newspapers, by the Post, free from the Duty of Postage, by the Members of the Two Houses of Parliament of the United Kingdom, and by certain Publick Officers therein named, and for reducing the Postage of such Votes, Proceedings and Newspapers, when sent by any other Persons*, are thereby permitted, in respect of their Offices, to send and receive the same in pursuance of the said Act; any Law or Usage to the contrary in any wise notwithstanding.

Commissioners may send and receive Letters free of Postage.

4 G. 2. c. 24.

42 G. 3. c. 28.

XX. And whereas the Surveyor General of His Majesty's Woods and Forests for the time being is one of the Persons authorized and appointed to act in the Execution of several Letters Patent of His said Majesty: And whereas it will be expedient that the Person to be first named in any Appointment of Commissioners to be made in pursuance of this Act, should be substituted in the Place and Stead of the said Surveyor General in the Execution of such Letters Patent; and that this should be done without the issuing of new or other Letters Patent for that Purpose; Be it therefore further enacted, That from and after any Appointment of Commissioners in pursuance of this Act, and during the Continuance of any such Appointment, the Person first named in any such Appointment for the time being shall be and be deemed and taken to be one of the Persons authorized and appointed to act in the Execution of all and singular such Letters Patent as aforesaid, in the Place and Stead of the said Surveyor General, as fully and in the like manner, to all Intents and Purposes, as if such Person so first named for the time being was expressly named in and authorized and appointed to act in

The first Commissioner substituted in the Place of Surveyor General of Woods, without issuing new Letters Patent.

the Execution of the same Letters Patent, and of each and every of them

Only One Commissioner to sit in Parliament.

XXI. And be it further enacted, That any One of the said Commissioners may be elected and chosen, and may sit and vote as a Member of the House of Commons of the United Parliament of *Great Britain and Ireland*, any thing in any Act or Acts of Parliament to the contrary notwithstanding: Provided always, that only One of such Commissioners shall be capable of being so elected, or of so sitting and voting at the same Time.

C A P. LXVI.

An Act to authorize the Judge Advocate General to send and receive Letters and Packets free from the Duty of Postage.

[9th June 1810.]

42 G. 3. c. 63.

WHEREAS the Privilege of sending and receiving Letters and Packets free from the Duty of Postage is not extended to the Judge Advocate General, who by virtue of his Office necessarily sends and receives many Letters and Packets relating to the Publick Service of this Kingdom; Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, the said Judge Advocate General for the time being shall and may send and receive Letters and Packets free from the Duty of Postage, in such manner and under such Restrictions as are specified or imposed in relation to other Publick Officers, in and by or under and by virtue of an Act made in the Forty second Year of His present Majesty, intituled, *An Act to authorize the sending and receiving of Letters and Packets, Votes, Proceedings in Parliament and Printed Newspapers, by the Post, free from the Duty of Postage, by the Members of the Two Houses of Parliament of the United Kingdom, and by certain Publick Officers therein named; and for reducing the Postage of such Votes, Proceedings and Newspapers, when sent by any other Person; any Law or Statute to the contrary notwithstanding.*

C A P. LXVII.

An Act for the better Preservation of Heath Fowl commonly called *Black Game*, in the Counties of *Somerset* and *Devon*.

[9th June 1810.]

33 G. 3. c. 53.

§ 1.

WHEREAS by an Act passed in the Parliament of *Great Britain* in the Thirteenth Year of the Reign of His present Majesty, intituled, *An Act to explain and amend the several Laws now in being, so far as the same relate to the Preservation of the Moor or Hill Game*, it is enacted, amongst other Things, that from and after the Twenty fourth Day of June One thousand seven hundred and seventy three, no Person or Persons shall, upon any Pretence whatsoever, wilfully take, kill, destroy, carry away, sell, buy or have in his, her or their Possession or Use, any Heath Fowl commonly called *Black Game*, between the Tenth Day of December and the Twentieth Day of August in any Year: And whereas it would

‘ would tend very much to the Preservation of the said Game, if the
 ‘ time for taking and killing Heath Fowl were postponed;’ Be it
 therefore enacted by the King’s Most Excellent Majesty, by and
 with the Advice and Consent of the Lords Spiritual and Tem-
 poral, and Commons, in this present Parliament assembled, That,
 from and after the passing of this Act, no Person or Persons shall,
 on any Pretence whatsoever, take, kill or destroy, or attempt to take,
 kill or destroy, in the Counties of *Somerset* and *Devon*, any Heath
 Fowl commonly called *Black Game*, between the Tenth Day of *De-*
cember and the First Day of *September* in any Year; and every Person
 who shall transgress this Act in any of the Cases aforesaid shall, for
 every Heath Fowl so taken, killed or destroyed, and for every At-
 tempt to take, kill or destroy such Heath Fowl, contrary to the true
 Intent and Meaning of this Act, be liable to the same Forfeitures
 and Penalties, to be recovered in the same manner, and subject to the
 like Appeal, and the same Provisions in every Respect whatsoever as
 in and by the said recited Act are enacted in respect of any Offence
 committed against the said Act.

Taking Black
 Game in *Somer-*
set and *Devon*
 between *Decem-*
ber 10 and
Sept. 1.

Penalty.

C A P. LXVIII.

An Act for raising the Sum of One million four hundred thou-
 sand Pounds by Way of Annuities for the Service of *Ireland*.
 [9th June 1810.]

C A P. LXIX.

An Act for raising the Sum of Six Millions by Exchequer Bills,
 for the Service of *Great Britain*, for the Year One thousand
 eight hundred and ten. [9th June 1810.]

“ Treasury impowered to raise 6,000,000*l.* by Exchequer Bills, in
 “ manner prescribed by 48 G. 3. c. 1.—§ 1, 2. Principal of said
 “ Bills charged on first Supplies of next Session. § 3. Interest thereon
 “ of 3½*d.* *per Centum per Diem*. § 4. Said Bills to be current at the
 “ Exchequer, &c. after 5 *April*, 1811.—§ 5. Bank impowered to
 “ advance 6,000,000*l.* on the Credit of this Act, notwithstanding
 “ 5 & 6 W. & M. c. 20.—§ 6.

C A P. LXX.

An Act to enable the Commissioners of His Majesty’s Treasury
 to issue Exchequer Bills, on the Credit of such Aids or Sup-
 plies as have been or shall be granted by Parliament for the
 Service of *Great Britain*, for the Year One thousand eight
 hundred and ten. [9th June 1810.]

“ Treasury may issue Exchequer Bills, as prescribed by 48 G. 3.
 “ c. 1.—§ 1. Clauses, &c. in recited Act, relating to Exchequer
 “ Bills extended to this Act. § 2. Treasury not to issue Exche-
 “ quer Bills on the Credit of 49 G. 3. c. 1. in any other manner than
 “ as authorized by that Act, &c. § 3. Interest not exceeding 3½*d.*
 “ *per Centum per Diem*. § 4. Exchequer Bills may, at the Expira-
 “ tion of Four Months after Date, be taken in Payment of the
 “ Revenue. Bills received at Exchequer locked up. § 5. Bank of
 “ *England*

"England authorized to advance 6,000,000^l on the Credit of this
 "Act, notwithstanding 5 & 6 W. & M. c. 20.—§ 6.

C A P. LXXI.

An Act for appropriating Part of the Surplus of the Stamp Duties granted in the Forty eighth Year of His present Majesty, for defraying the Charges of the Loan made and Stock created in the present Session of Parliament.

[9th June 1810.]

48 G. 3. c. 149.

WHEREAS by an Act of Parliament passed in the Forty eighth Year of the Reign of His present Majesty, intituled, *An Act for repealing the Stamp Duties on Deeds, Law Proceedings, and other written or printed Instruments, and the Duties on Legacies and Successions to Personal Estates upon Intestacies now payable in Great Britain; and for granting new Duties in lieu thereof*, it was

§ 46:

44 G. 3. c. 98.

enacted that all the Monies to arise from the Duties granted by the said Act, together with the Monies to arise from the Duties granted by an Act of the Forty fourth Year of His Majesty's Reign, therein recited and remaining unrepealed; and from the Duties on Licences to deal in Thread Lace, granted by an Act of the Forty

46 G. 3. c. 81.

sixth Year of His Majesty's Reign, and then under the Management of the Commissioners of Stamps, should be paid into the Hands of the Receiver General of the Duties on Stamped Vellum, Parchment and Paper, who should from time to time pay the same into the Bank of England for safe Custody, pursuant to the Act in that case made and provided, and should thereafter pay the same (after deducting the Charges of raising, collecting and accounting for the same, and all other Charges first payable thereout) into the Receipt of His Majesty's Exchequer at Westminster, in one Sum, at such times and in such manner as the present Stamp Duties were by the Laws in force directed to be paid, and that the Money so paid into the said Receipt should be carried to and made Part of the

§ 47:

Consolidated Fund of Great Britain: And it was further enacted, that from and after the Tenth Day of October One thousand eight hundred and eight, out of the Monies so to be paid into the Receipt of the Exchequer as aforesaid, there should be set apart the yearly Sum of Three millions nine hundred fifty six thousand seven hundred ninety Pounds and Ten pence, being the aggregate Amount of the net yearly Produce of the Duties granted by the said Act of the Forty fourth Year, and by another Act of the Forty fifth Year of His Majesty's Reign, therein mentioned (except the Duties on Lottery Licences and Shares of Tickets since repealed, and except the Duties on Ale Licences and Game Certificates, which were intended to be removed from the Management of the Commissioners of Stamps, by certain Acts of the same Session), upon an Average of Two Years ending the Fifth Day of January One thousand eight hundred and eight, and of the net Produce of the Duties on Appraisements and Licences to Appraisers, granted by an Act of the Forty sixth Year of His Majesty's Reign, therein recited, for One Year ending the same Fifth Day of January; and that there should also be set apart at the Exchequer, Quarterly, such further Sum as should be equal to the net Produce of the Duties on Licences to deal

45 G. 3. c. 28.

46 G. 3. c. 43.

' deal in Thread Lace, of which a separate Account should be kept
 ' at the Stamp Office, and be transmitted to the Exchequer; and
 ' that after setting apart the said several Sums, the Remainder of
 ' the Monies so to be paid into the Exchequer as aforesaid should
 ' be deemed an Addition made to the Publick Revenue of Great
 ' Britain, for the Purpose of defraying the increased Annual Charge
 ' occasioned by any Loan made or Stock created by virtue of any Act
 ' or Acts passed or to be passed in the same Session of Parliament :
 ' And whereas the net Produce of the Duties paid into the Exche- 48 G. 3. c. 148.
 ' quer pursuant to the Direction of the said Act of the Forty eighth
 ' Year of His Majesty's Reiga, in the Year ending on the Fifth Day
 ' of *April* One thousand eight hundred and ten, amounted to the Sum
 ' of Five millions one hundred eighty eight thousand four hundred
 ' twenty six Pounds Seventeen Shillings and One Penny; and after
 ' reserving and setting apart thereout pursuant to the Directions of
 ' the same Act, the said Sum of Three Millions nine hundred fifty
 ' six thousand seven hundred ninety Pounds and Ten pence, and the
 ' further Sum of One thousand seven hundred twenty nine Pounds
 ' Four Shillings and Nine pence, being the net Produce of the Du-
 ' ties on Licences to deal in Thread Lace; and also after reserving
 ' and setting apart the Sum of Thirty two thousand Pounds, Part
 ' of the yearly Sum of Forty two thousand Pounds payable by the
 ' Governor and Company of the Bank of *England* as a Compensation
 ' for the Exemption of their Promissory Notes and Bills from Stamp
 ' Duty, pursuant to an Act of the present Session of Parliament, the 48 G. 3. c. 149.
 ' Remainder or Surplus of the said Duties amounts to the Sum of § 15.
 ' One million one hundred ninety seven thousand nine hundred and
 ' seven Pounds Eleven Shillings and Six pence: And whereas the
 ' total yearly Charge on account of Stock created by the Acts of the
 ' Forty eighth Year of the Reign of His present Majesty was Seven
 ' hundred and twenty nine thousand four hundred and forty one
 ' Pounds Nineteen Shillings and One Farthing, for which, besides
 ' the aforesaid Surplus of the Stamp Duties, Provision was made by
 ' the Appropriation of certain expired Annuities; and by a Saving
 ' in the Charge paid for the Management of the Publick Debt, and
 ' by an Increase of the Assessed Taxes, amounting together, accord-
 ' ing to their actual Produce in the Year ending the Fifth Day of
 ' *January* One thousand eight hundred and nine, to Six hundred and
 ' twenty two thousand six hundred and sixty three Pounds Ten Shil-
 ' lings and Seven pence Halfpenny, leaving only the Sum of One
 ' hundred and six thousand seven hundred and seventy eight Pounds
 ' Eight Shillings and Four pence Three Farthings, to be defrayed by
 ' the aforesaid Surplus of the Stamp Duties: And whereas it is ex-
 ' pedient that the Excess of the said Surplus of the Stamp Duties,
 ' after reserving annually One hundred and fifty thousand Pounds,
 ' which appears to be an ample Provision in addition to the other
 ' Duties appropriated to that Purpose for defraying the yearly
 ' Charge on account of the Stock created in the Year One thousand
 ' eight hundred and eight, should be appropriated to the Purpose of
 ' defraying the increased annual Charge occasioned by any Loan
 ' made or Stock created in the present Session of Parliament; Be it
 ' therefore enacted by the King's Most Excellent Majesty, by and
 ' with the Advice and Consent of the Lords Spiritual and Temporal,
 ' and Commons, in this present Parliament assembled, and by the Au-
 ' thority

Surplus of Stamp
Duties 48 G. 3.
c. 149. &c. how
applied.

thority of the same, That from and after the Fifth Day of *July* One thousand eight hundred and ten, after setting apart out of the Monies directed to be paid into the Exchequer, and made Part of the Consolidated Fund by the said first recited Act of the Forty eighth Year of the Reign of His present Majesty, the said yearly Sum of Three millions nine hundred and fifty six thousand seven hundred and ninety Pounds and Ten pence, and such further Sum as shall be equal to the net Produce of the Duties on Licences to deal in Thread Lace according to the Provisions of that Act, and also the yearly Sum of Thirty two thousand Pounds, Part of the aforesaid yearly Sum of Forty two thousand Pounds payable by the Governor and Company of the Bank of *England*, pursuant to an Act of the present Session of Parliament, there shall in the next Place be reserved and set apart out of the said Monies the yearly Sum of One hundred and fifty thousand Pounds, by Four equal Portions on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July* and the Tenth Day of *October* in every Year, towards defraying the increased annual Charge occasioned by the Stock created by the Acts passed in the Forty eighth Year of His Majesty's Reign, and that the Remainder or Surplus of the said Monies shall be deemed an Addition made to the Publick Revenue of *Great Britain*, for the Purpose of defraying the increased annual Charge occasioned by any Loan made or Stock created by virtue of any Act or Acts passed or to be passed in the present Session of Parliament.

C A P. LXXII.

An Act for improving and completing the Harbour on the North Side of the Hill of *Howth* near *Dublin*, and rendering it a fit Situation for His Majesty's Packets. [9th *June* 1810.]

45 G. 3. c. 113.
§ 1.

§ 2.

WHEREAS the rendering the Harbour on the North Side of the Hill of *Howth* near *Dublin*, a fit Situation for His Majesty's Packets, is desirable for the regular and more speedy Conveyance of the Mails between *Dublin* and *Holyhead*, and facilitating the Intercourse of Passengers between *Great Britain* and *Ireland*: And whereas by virtue of an Act made in the Forty fifth Year of His present Majesty's Reign, for granting a certain Sum of Money towards improving the said Harbour, certain Persons were appointed and authorized by the Lord Lieutenant of *Ireland* for the time being to apply the Sum granted towards improving the said Harbour, and rendering it a fit Situation for His Majesty's Packets; and it was by the said recited Act further enacted, that such Persons so appointed should have all such Powers and Authorities as are by Law given to or vested in the Corporation for preserving and improving the Port of *Dublin*, and which should be requisite and necessary for the carrying of the said recited Act into Execution; and that all Piers, Wharfs, Quays, and other Erections and Buildings which might be made under the Directions of the said Persons, and all Ground applied to such Purposes by them, should be vested in the said Corporation for preserving and repairing the Port of *Dublin*: And whereas it is expedient to provide for the due Application of whatever Sums may be granted or appropriated by Parliament for the Improvement or towards the completing of the said Harbour;

‘ Harbour; and further, to provide for the making and executing
 ‘ the Roads, Quays and Works necessary for the Completion and
 ‘ Improvement of the said Harbour:’ May it therefore please your
 Majesty that it may be enacted; and be it enacted by the King’s Most
 Excellent Majesty, by and with the Advice and Consent of the Lords
 Spiritual and Temporal, and Commons, in this present Parliament as-
 sembled, and by the Authority of the same, That the several Per-
 sons heretofore appointed by the Lord Lieutenant of *Ireland* for
 the time being for the Purpose of carrying into Execution the herein-
 before recited Act of the Forty fifth Year of His present Majesty’s
 Reign, and such other Person or Persons as shall or may from time
 to time be appointed or authorized by the Lord Lieutenant or other
 Chief Governor or Governors of *Ireland* for the time being, shall be
 and they are hereby appointed Commissioners for the Purposes of this
 Act: Provided always, that it shall be lawful for the Lord Lieute-
 nant or other Chief Governor or Governors of *Ireland* for the time
 being to revoke the Appointment of any such Person or Persons to be
 such Commissioner or Commissioners, and from time to time to nomi-
 nate and appoint such other Person or Persons to be a Commissioner
 or Commissioners as such Lord Lieutenant or other Chief Governor
 or Governors for the time being shall think fit.

Commissioners
for executing
Act.

II. Provided always, and be it further enacted, That the said Com-
 missioners, and each of them, shall take and subscribe the Oath fol-
 lowing before he or they shall take upon him or themselves the Exe-
 cution of any of the Powers or Authorities hereby given, other than
 administering the said Oath.

Commissioners to
take and sub-
scribe an Oath.

‘ I *A. B.* do swear, That I will, without Favour or Affection,
 ‘ Hatred or Malice, truly and impartially, according to the best
 ‘ of my Skill and Judgment, execute and perform all and every the
 ‘ Powers, Authorities and Duties of a Commissioner, reposed in me
 ‘ under and by virtue of an Act made in the Fiftieth Year of the
 ‘ Reign of His Majesty King *George* the Third, intituled, [*here see*
 ‘ *forth the Title of this Act.*.]’

Which Oath any One of the said Commissioners, or any Person named
 in any Appointment of Commissioners, is hereby authorized and re-
 quired to administer at the First or any other Meeting to be held by
 virtue of this Act.

III. And be it further enacted, That it shall and may be lawful
 for the Commissioners for the Purposes of this Act for the time being,
 or any Three of them, and they are hereby authorized and required
 from time to time to nominate and appoint by Writing under their
 Hands a Secretary, and One or more Clerk or Clerks, and also from
 time to time to employ such Engineers, Surveyors and other Officers,
 and such Labourers and Workmen as the said Commissioners shall
 think proper and expedient for the better carrying into Execution
 the Purposes of this Act; and it shall and may be lawful for the said
 Commissioners, and they are hereby authorized and empowered to
 contract and agree with any fit and proper Person or Persons, Arti-
 ficers, Workmen and others, for the making, doing and preparing of
 all or any of the Roads and Works by this Act authorized or directed
 to be done and performed, or any Part thereof, or for supplying any
 of the Materials for the same, which Contract shall be signed by the
 Person or Persons contracting or agreeing to perform such Works
 respectively,

Commissioners
may appoint
Officers and
make Contracts.

Contract by
whom signed.

respectively, and also by Three or more of the said Commissioners, or by the Secretary to the said Commissioners, authorized under the Hands of Three of the said Commissioners for that Purpose; and all Contracts which shall have been made or entered into at any time before the passing of this Act, by or on behalf or under the Authority of the Commissioners nominated and appointed in pursuance of the said recited Act of the Forty fifth Year, shall be and the same are hereby declared good, valid and effectual to all Intents and Purposes, and shall be carried into effect in like manner as Contracts to be made under the Authority of this present Act.

Commissioners
may bring and
defend Actions
in the Name of
their Secretary.

IV. And be it further enacted, That the said Commissioners may sue and be sued in the Name of their Secretary for the time being, and that all Actions, Suits, Prosecutions, Informations, Appeals and other Proceedings whatsoever that may be necessary or expedient to be brought for the Recovery of any Penalty or Sum of Money due or payable by virtue of this Act, to be had, taken, prosecuted or defended by or against the said Commissioners, shall be had, taken, prosecuted or defended in the Name of their Secretary, and that no Action, Suit, Prosecution, Information, Appeal or other Proceeding to be had, taken, prosecuted or defended by or against the said Commissioners in the Name of their Secretary, shall abate or be discontinued by the Death, Suspension or Removal of such Secretary, or by any Act or Default of such Secretary done or suffered, without the Consent or Direction of the said Commissioners, but that the Secretary to the said Commissioners for the time being shall be always deemed the Plaintiff, Prosecutor, Informant, Appellant; Defendant or Respondent, in any such Action, Suit, Prosecution, Information, Appeal or other Proceedings (as the Case may be), except in such Action or Actions, Suit or Suits, as shall be prosecuted between the said Commissioners and their Secretary for the time being, in which Action or Suit any One of the said Commissioners shall or may be Plaintiff or Defendant (as the Case may be): Provided always, that every such Secretary in whose Name any such Action, Suit, Prosecution, Information, Appeal or other Proceeding shall be had, taken, prosecuted or defended in pursuance of this or the said recited Act, shall be fully re-imbursed and paid out of the Monies applicable to the Purposes of this Act, all such Costs, Charges, Damages and Expences as by the Events or in consequence of any such Action, Suit, Prosecution, Information, Appeal or other Proceedings, he or they shall pay, bear, sustain, expend or be put unto or become chargeable with or liable for, or be fairly entitled to by reason of his or their being so made Plaintiff or Plaintiffs, Defendant or Defendants, Informant or Informants, Appellant or Appellants, Respondent or Respondents as aforesaid, unless such Action or Suit shall arise in consequence of his own wilful Neglect or Default, or have been brought or commenced, or be defended without the Order or Direction of the said Commissioners.

Proviso for
Re-imbursement
of Secretary.

Commissioners
empowered to
execute Act.

V. And be it further enacted, That the said Commissioners shall and they are hereby authorized and empowered to proceed in the improving and completing of the said Harbour, and in the making and completing a Road and Quay along the Beach and Shore of the said Harbour westward of the Pier or Mole already in part erected, and to make such other Roads and Ways as they may think necessary for the Conveyance of Materials to the said Works, and to make

make and maintain Reservoirs for supplying with Water Shipping resorting to the said Harbour; and that for the Purposes of this Act, all Piers, Buildings and Works whatsoever heretofore made, erected or built in the whole or in part at any time before the passing of this Act, and all Ground applied to such Purposes under the Authority of the said recited Act of the Forty fifth Year aforesaid, or by or under the Authority or Directions of the Commissioners appointed by the Lord Lieutenant of *Ireland* since the passing of the said recited Act, and all Roads, Piers, Quays, Erections and Buildings whatsoever which shall or may be made, erected or built at any time after the passing of this Act, and all Ground applied to such Purposes under the Authority of this Act or of the Commissioners hereby appointed, and also all such Land and Ground, Rock or Soil, Stones and Sand within the said Harbour as is or are overflowed by the Tide of the Sea, shall be and the same are hereby vested in the said Commissioners for the Purposes of this Act until the said Harbour shall be fully completed by and under the Direction of the said Commissioners; and from and after the time when the said Commissioners shall deem the Improvement of the said Harbour completed, testified by their Representation to that Effect to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, all the said Harbour so improved, and all Roads, Piers, Quays, Works and other Erections and Buildings so heretofore made or which hereafter shall be made, erected or built under the Authority of this Act, or of the Commissioners appointed under this Act, and the Ground and Soil on which the same are or shall be erected and built, shall be and the same are hereby vested, and shall be and remain vested in the Corporation for preserving and repairing the Port of *Dublin*; and from thenceforth all the Powers by this or any other Act given to or vested in the Commissioners for the Execution of this Act, shall be vested in and executed by the said Corporation; and the said Corporation shall apply the Sums in and for the Maintenance and Improvement of the said Harbour, and of the Roads, Quays, Works, Erections and Buildings so becoming vested in them under the Authority of this Act.

Ground, &c.
vested in
Commissioners.

VI. And be it further enacted, That it shall and may be lawful to and for the Agents, Workmen and Servants of the said Commissioners from time to time to enter upon all Lands or Grounds of any Persons, Bodies Politick, Corporate or Collegiate, in, upon or through which any of the Roads, Piers, Quays, Works, Erections and Buildings authorized to be made under this Act are intended to be made, in order to survey and take Levels of the same, and to set out and ascertain such Parts thereof as the said Commissioners shall think necessary or proper for the Purposes of this Act, such Agents or Servants making Satisfaction for such Damage as they shall do thereby to the Occupiers of such Lands or Grounds for the time being, in case the same shall exceed the Sum of One Shilling Sterling.

Lands may be
entered for
Survey, &c.

Satisfaction for
Damages.

VII. And, for the improving and completing the said Harbour, and making, using and maintaining all such Roads, Ways, Piers, Docks, Quays, Reservoirs, Works, Erections and Buildings, as the said Commissioners shall deem necessary for that Purpose, and for the Execution of this Act, according to the Tenor and Intent of the same, Be it further enacted, That it shall and may be lawful for the said Commissioners and their Agents, Servants and Workmen, and they

Powers to Com-
missioners to
enter Lands and
take Materials.

they are hereby authorized and empowered in, upon and through any Lands or Premises being the Property of or belonging to the King's Majesty, his Heirs or Successors, or of any other Person or Persons, Bodies Politick, Corporate or Collegiate, and situate within Three Miles of the said Harbour, or at *Dalber* or *Bullock*, on the South Side of the Bay of *Dublin* (not being within Three hundred Yards of any Capital Mansion-house, nor within any Plantation, Avenue or Pleasure Ground, nor Garden attached to any Capital Mansion-house, planted, made or formed before the passing of this Act, nor in any Deer Park inclosed with a Wall prior to the passing of this Act, and actually occupied at the time with Deer), to enter and to quarry, dig, remove, take and carry away all such Stone, Limestone, Gravel, Sand, or any other Materials (standing Timber only excepted) in, out of, upon and from such Lands and Grounds as may be necessary or convenient to be employed for the Purposes of this Act, and also to place, lay, work or manufacture all such Stone, Limestone, Gravel, Sand or other Materials which shall be so dug or got as aforesaid, on the Grounds near to the Place or Places where the same shall be so dug or got, or where the same shall be used or employed for the Purposes of this Act; and also to make, maintain and use such good and sufficient Roads and Ways as the said Commissioners shall think necessary or convenient for conveying all such Stone, Limestone, Gravel, Sand and other Materials so cut, dug, quarried or obtained, taken away and removed for the Purposes of this Act, from the Place and Places where the same shall be respectively so cut and dug, and quarried or obtained, to the Places where the same shall be employed for the Purposes of this Act, they the said Commissioners making Satisfaction in manner by this Act directed to the Owners and Proprietors of all such Lands and Premises for all Damages by them done or to be done in the Execution of this Act.

To make Roads
for conveying
Materials.

To make Roads,
Quays and
Works.

VIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners and their Agents, Servants and Workmen, and they are hereby authorized and empowered, in and upon any Land or Premises by this Act vested in the said Commissioners, or which the said Commissioners may enter on or purchase by virtue of this Act, to make, erect, complete and maintain all and every or any such Ways, Roads, Fences, Piers, Docks, Quays, Reservoirs, Works, Erections and Buildings whatever, as and where the said Commissioners shall think requisite and convenient for the Purposes of this Act, and also to make, erect, complete and maintain such Waterworks, Reservoirs and other Engines and Works as the said Commissioners shall deem necessary and expedient, for supplying the Shipping which may resort to the said Harbour with Water from any Stream of Water now running or flowing into the Sea at the Harbour of *Howth*; and also to make and do all other Matters and Things whatever which they the said Commissioners shall, from time to time think fit, necessary and convenient for making, effecting, extending, improving, preserving, completing and using the said Harbour, and all Roads, Ways, Piers, Docks, Quays, Works, Erections and Buildings relating thereto, in pursuance and within the true Meaning of this Act, they the said Commissioners making Satisfaction in manner by this Act directed for all Damages and Injuries done to any Lands and Premises which shall be damaged or prejudiced by the taking of any Materials or by the making of

Satisfaction for
Damages.

any temporary Roads for the Conveyance of such Materials for the Purposes of this Act; and also making Satisfaction in manner by this Act directed for the Purchase of any Lands and Premises required to be employed, taken or used in making, completing or maintaining any permanent Roads, or in the making, erecting, completing or maintaining of any Piers, Docks, Quays, Reservoirs, Waterworks, Engines, Works, Erections and Buildings whatsoever for the Purposes of this Act; and this Act shall be sufficient to indemnify the said Commissioners and their Servants, Agents and Workmen, and all other Persons whomsoever, for whatever they or any of them shall do by virtue of the Powers hereby granted.

IX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners for the time being to treat and agree with all and every or any Person or Persons, Body or Bodies Politick or Corporate, who is, are or may be the Inheritor or Inheritors, Occupier or Occupiers of any Land or Premises required for the Purposes of this Act, for the Purchase of such Land or Premises, or relative to and concerning any Compensation or Satisfaction which any such Person or Persons may claim or demand for any Damage or Damages which he, she or they may suffer or sustain by reason of the Execution of this Act; and it shall and may be lawful for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Husbands, Guardians, Tenants in Tail, Trustees and Feoffees in Trust, Committees, Executors, Administrators, and all other Trustees whomsoever, not only for or on behalf of themselves, their Heirs and Successors, but also for and on behalf of their several and respective *Cestuique* Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Married Women, or other Person or Persons, and to and for all married Women who are or shall be seised, possessed of or interested in any Lands used or required for the Purposes of this Act, whether entitled in Fee Simple, Fee Tail or otherwise, to contract and agree for, and to sell and convey unto the said Commissioners, or to such Persons as they shall nominate and appoint for the Purposes of this Act, all or any Part of any Lands or Premises which shall from time to time be used or required for the Purposes of this Act; and also to claim and demand, and to contract and agree with the said Commissioners for any Compensation or Satisfaction for any Damage or Damages which such Body Politick or Corporate, or Person or Persons, or his or their Lands or Premises respectively may suffer by reason of the Execution of this Act; and in case such Treaty or Treaties shall end in an Agreement or Agreements, it shall and may be lawful to and for the said Commissioners to take and accept of a Conveyance or Conveyances of such Land or Premises as they shall purchase from such Person or Persons, Body or Bodies Politick or Corporate or any of them, and to take and accept of a Release or Releases, Discharge or Discharges, for such Satisfaction or Compensation as aforesaid, which Conveyance or Conveyances, Release or Releases, Discharge or Discharges, shall be binding and conclusive to and upon the Person or Persons, Body or Bodies Politick or Corporate, executing the same, and all Persons claiming under them; and all Bodies Politick, Corporate or Collegiate, and all Persons whosoever so contracting or agreeing, are hereby indemnified for what they or any of them shall respectively do by virtue of or in pursuance of this Act; and the Expence of all such Contracts, Agreements, Sales, Conveyances and

Commissioners
empowered to
agree with
Inheritors of
Ground for
Purposes of Act.

Infants, &c.

Satisfaction for
Damages.

Expence of Con-
tracts defrayed

Assurances, shall be defrayed out of the Money granted for the Purposes of this Act; and such of them as shall be made for the conveying of any Lands or Premises to the said Commissioners, shall be made according to the following Form; (that is to say),

Form of Contract.

‘ I *A. B.* of in consideration of the
 ‘ Sum of to me paid by the
 ‘ Commissioners appointed to carry into Execution an Act passed
 ‘ in the Fiftieth Year of the Reign of His present Majesty, intituled,
 ‘ [*here insert the Title of this Act*], do hereby grant, convey and dis-
 ‘ pose to the said Commissioners, all [*describing the Land or Pre-
 ‘ mises to be conveyed*], and all the Estate, Right, Title and Interest
 ‘ of me the said *A. B.* my Heirs and Assigns, and of all Persons
 ‘ claiming or to claim by, from or under the said *A. B.* to and in the
 ‘ same and every Part thereof, to hold the same to the said Commis-
 ‘ sioners and their Successors for ever, by virtue of and according to
 ‘ the true Intent and Meaning, and for the Purposes of the said Act
 ‘ of Parliament. In Witness whereof I have hereunto set my Hand
 ‘ this Day of in the Year of
 ‘ our Lord .’

In default of Agreement, Jury summoned.

X. And be it further enacted, That in case the said Commissioners, by reason of Non-age, Coverture, Intail, Insanity, or other legal Impediment in the Owner or Owners, Occupier or Occupiers of any Land or Premises used or required for the Purposes of this Act, or from any other Cause or Reason, cannot or shall not agree with the Owners or Occupiers of such Land or Premises, as aforesaid, relative to the Purchase of any such Land or Premises, or relative to any Satisfaction or Compensation for Damages to such Land or Premises, then, and in such case, it shall and may be lawful to and for the said Commissioners, or any Three of them, (not being interested in the Question to be determined by being entitled to any Sum or Sums of Money claimed or to be paid for such Land or Premises or Damages respectively, or any Part thereof) to issue a Warrant or Warrants, Precept or Precepts, under their Hands and Seals, to the Sheriff of the County of *Dublin*, in case the same shall be within his Bailiwick, or to the Sheriff of the County in whose Bailiwick the same shall be, thereby commanding and requiring such Sheriff or Sheriffs to impanel and return a competent Number of substantial and disinterested Persons qualified to serve on Juries, not less than Thirty six nor more than Sixty, and such Sheriff or Sheriffs is and are hereby empowered to impanel and return such Jury accordingly, under the Penalty of Fifty Pounds, to be recovered by Action of Debt by any Person who shall sue for the same in any Court of Record; and out of such Persons so to be impanelled and returned, a Jury of Twelve Persons shall be drawn by some Person to be named by the said Commissioners, or any Three of them as aforesaid, in such manner as Juries for the Trial of Issues joined in His Majesty's Four Courts in *Dublin*, by an Act made in *Ireland* in the Twenty ninth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for the better regulating of Juries*, are directed to be drawn; which Persons so to be impanelled, summoned and returned as aforesaid, are hereby required to come and appear before the said Commissioners, or any Three of them as aforesaid, at such Time and Place as in such Warrant or Warrants, Precept or Precepts, shall be directed and appointed,

Precept to Sheriff.

Penalty.

29 G. 2. (1.)
c. 6.

appointed, and to attend the said Commissioners until discharged by the said Commissioners; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not be at liberty to challenge the Array; and the said Commissioners or any Three of them (not being interested as aforesaid), are hereby authorized and empowered, by Precept or Precepts, from time to time as Occasion shall require, to call before them and the said Jury all and every Person and Persons whomsoever who shall be thought proper or necessary to be examined as Witnesses before them; and the said Jury, on their Oath or Oaths touching and concerning the Premises, and the said Commissioners or any Three of them, if they shall think fit, shall and may likewise authorize the said Jury to view the Place or Places in Question in such manner as they shall direct, and shall have Power to adjourn such Meeting from Day to Day as occasion shall require, and to command such Jury, Witnesses and Parties to attend until such Purposes for which they were summoned shall be concluded; and the said Jury upon their Oaths (which Oaths, as also the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Commissioners or any One of them, not being interested as aforesaid, are and is hereby empowered and required to administer) shall enquire of the Value of such Ground and Premises as shall be required to be purchased for the Purposes of this Act, and of the respective Estate, Right, Title, Term and Interest of every Person and Persons, Body or Bodies Politick and Corporate, seised or possessed thereof or interested therein, or of or in any Part thereof, and also what Compensation and Satisfaction, if any, shall be awarded and paid to any Person or Persons, Body or Bodies Politick or Corporate, for any Damage or Damages which they or any of them may consequently or otherwise suffer or sustain, or have suffered or sustained by any Act, Matter or Thing done in the Execution of this Act, and shall assess and award the Sum or Sums to be paid to every such Person or Persons for the Purchase of such his, her or their respective Estates, Rights, Titles, Terms and Interests as aforesaid, or for any such Damage or Damages as aforesaid; and the said Commissioners, or any Three of them (not being interested as aforesaid), shall and may give Judgment for such Sum or Sums of Money so to be assessed and awarded, which said Verdict or Verdicts, and the said Judgment or Determination thereupon (Notice in Writing being given to the Person or Persons, Body or Bodies Politick and Corporate interested, at least Fourteen Days before the time of the First Meeting of the said Jury, declaring the time and Place of the Meeting, by leaving such Notice at the Dwelling-house of such Person or Persons, or at his, her or their usual Place or Places of Abode, if then resident within *Ireland*, and if not, then with the known Agent or Receiver of the Rents of such Person as shall be then absent from *Ireland*, or if a Body Politick or Corporate, then with the ostensible or waiting Officer of such Body Politick or Corporate) shall be binding and conclusive to all Intents and Purposes whatsoever against all and every Person or Persons, Bodies and Body Politick and Corporate, claiming any Estate, Right, Title, Trust, Use or Interest in, to or out of any such Land and Premises, either in Possession, Reversion, Remainder or Expectancy, as well Infants and Issue unborn, Lunatics, Idiots and Females Covert, and Persons under any legal Incapacity or Disability, as all other *Cestuique* Trusts, his, her and their Heirs, Successors, Executors

Challenge.

Witnesses
examined.Jury to enquire
&c.

Damages.

Judgment
conclusive.

Executors and Administrators, and against all other Persons whomsoever; and the said Verdicts, Judgments, and Decrees, and all other Proceedings of the said Commissioners and Juries to be made, given and pronounced as aforesaid, shall be fairly written on Parchment, and signed and sealed by the said Commissioners who shall pronounce such Judgment.

Jury to value
Ground accord-
ing to its actual
State.

XI. And be it further enacted, That where the Value of any Land or Premises, or the Recompence for any Damage done or to be done in any Land or Premises, shall be submitted to a Jury, such Land or Premises and the Damage done thereto shall be valued by such Jury with respect to the State, Situation and Value of such Land and Premises, in like manner as if the said recited Act of the Forty fifth Year or this Act had not been made; and not according to the additional Value which such Land or Premises shall or may acquire by the improving and completing of the said Harbour, or by any future Improvement to be made in such Land or Premises in consequence of the Expenditure which shall be laid out for the Purposes of this Act.

Expence of Ju-
ries how paid.

XII. Provided always, and be it enacted, That in all Cases where a Verdict or Assessment shall be given or made for more Money, as a Recompence or Satisfaction for any Lands or Premises, or for any Damage done or to be done to the same, than had been previously offered by or on behalf of the said Commissioners, all the Expences of summoning such Jury and of taking such Inquest shall be defrayed by the said Commissioners; but if any Verdict or Assessment shall be given or made for no more or for a less Sum than had been previously offered by or on behalf of the said Commissioners, then, and in every such Case, the Costs and Expences of summoning such Jury and taking such Inquest shall be borne and paid by the Party to whom such Offer was previously made by such Commissioners: Provided always, that where by reason of Absence, any Person or Persons shall be prevented from treating with the said Commissioners, all the Costs and Expences of summoning the Jury and taking such Inquest shall be borne and paid by the said Commissioners.

Persons request-
ing a Jury to en-
ter into Bond to
prosecute.

XIII. Provided also, and be it enacted, That all Persons making Complaints and requesting such Jury, for the ascertaining the Value of any Lands or Premises, or the Amount of any Recompence or Satisfaction for any Damage done or to be done to the same, shall, before the said Sheriff shall be obliged to summon such Jury, first enter into a Bond with Two Sureties to the Secretary or Clerk of the said Commissioners for the time being, in the Penalty of Fifty Pounds Sterling, to prosecute such his, her or their Complaint, and to bear and pay the Costs and Expences of summoning such Jury and taking such Inquest, in case a Verdict shall be given for no more or a less Sum than had been offered by or on behalf of the said Commissioners before summoning and returning the said Jury or Juries, as the Value or as a Recompence or Satisfaction for any Lands or Premises, or for any Damages as aforesaid: Provided always, that if the Person so requesting such Jury shall refuse to enter into such Bond as aforesaid, it shall and may be lawful for the Commissioners under this Act to require such Jury to be summoned, and the same shall be summoned accordingly by the Sheriff, and the Expence of summoning such Jury, and of taking the Inquest by them, shall be defrayed in manner and under the Regulations hereinbefore provided, mentioned and contained.

Provide

XIV. And

XIV. And be it further enacted, That upon Payment of such Sum or Sums of Money so to be awarded or adjudged to the Person or Persons to whom the same shall be awarded for the Purchase of any such Ground or Premises as aforesaid, or for the Purchase of any Estate, Right, Title, Term or Interest therein, such Person or Persons shall make and execute, or procure to be made and executed Conveyances to the said Commissioners of such Ground and Premises as aforesaid, or of such Estate, Right, Title, Term or Interest for which such Sum or Sums of Money shall be so awarded in the Form hereinbefore set forth, and shall procure all necessary Parties to execute such Conveyances, Assignments and Assurances, and shall do all Acts, Matters and Things necessary and requisite to make a good, clear and perfect Title to the said Commissioners; and such Person or Persons, Body or Bodies Politick and Corporate, to whom any Sum or Sums of Money shall be awarded by way of Satisfaction and Compensation for any such Damages as aforesaid, shall give and perfect to the said Commissioners a full and sufficient Release, Acquittance and Discharge from all Claims and Demands for or on account of all Damages for which such Sum shall be awarded as aforesaid.

Upon Payment of Sums awarded, Conveyances to be made to Commissioners.

XV. And be it further enacted, That all such Verdicts, Judgments, Sentences, Decrees, Orders, and other Proceedings of the said Commissioners and Juries as relate to or concern the Premises aforesaid, shall be entered in the Rolls Office of the said Court of Chancery, and the same, or true Copies thereof, shall be deemed and taken to be good and sufficient Evidence and Proof in any Court or Courts of Law or Equity whatsoever; and immediately on the Entry of such Verdicts, Judgments, Sentences, Decrees, Orders and other Proceedings of the said Commissioners and Juries as aforesaid, and on Payment of the Sum or Sums of Money agreed on or adjudged or awarded either for the Purchase of any Land or Premises, or as a Satisfaction or Compensation for any Damages, to the Proprietor or Proprietors of any Ground or Premises, or to the Person or Persons who shall be entitled to receive such Money, or on Payment of such Money respecting which any Difficulties, Disputes or Differences shall arise, into the Bank of *Ireland* in manner and for the Purposes herein mentioned, all the Estate, Right, Title, Term, Interest, Use, Trust, Property, Claim and Demand, in Law and Equity, of the Person or Persons to whom or for whose Use such Money shall be paid as aforesaid, into and out of all Ground and Premises which shall be so purchased, shall vest in the said Commissioners for the Purposes of this Act, and the said Commissioners shall be deemed in Law to be in the actual Possession thereof to all Intents and Purposes whatsoever; and all and every Person and Persons, Body and Bodies Politick and Corporate to whom any such Satisfaction or Compensation as aforesaid shall be awarded, shall from thenceforth be for ever barred from claiming any further or other Satisfaction or Compensation whatsoever for any Damage which they or any of them shall sustain by the means aforesaid.

Verdicts to be entered.

Copies Evidence.

On Payment,

Premises to vest in Corporation.

XVI. And be it further enacted, That the Conveyance to the said Commissioners of any such Estate and Interest of any Feme Covert in or to any such Ground or Premises as aforesaid, by Bargain and Sale acknowledged by such Feme Covert in such manner as Bargains and Sales are usually acknowledged, and enrolled in the Rolls Office of His Majesty's High Court of Chancery in *Ireland* within

Conveyances of Estate, &c. effectual.

Six Months after the making thereof, shall as effectually and absolutely convey the Estate and Interest of such Feme Coverts in the Premises as any Fine or Fines, Recovery or Recoveries should or could do if levied or, suffered thereof in due Form of Law; and further, that all Bargains and Sales whatsoever to be made of any Ground or Premises which shall be purchased by the said Commissioners by virtue of and for the Purposes of this Act, shall have the like Force, Effect and Operation in Law, to all Intents and Purposes, which any Fine or Fines, Recovery or Recoveries whatsoever would have if levied or suffered by the Bargain or Bargains, or any Person seised of any Estate in the Premises in trust for or to the Use of such Bargain or Bargains in any legal Manner and Form whatsoever.

Compensation
Money when ex-
ceeding 200l.
how applied.

XVII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements or Hereditaments purchased, taken or used by virtue of the Powers and for the Purposes of this Act, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, or seised or possessed of only a particular or determinable Estate or Interest therein, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the High Court of Chancery in *Ireland*, to be placed to his Account *ex parte* the Commissioners for executing this Act; to the Intent that such Money may be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands or Hereditaments, towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof as the said Court shall authorize to be paid affecting the same Lands or Hereditaments, or affecting other Lands or Hereditaments standing settled therewith to the same or the like Uses, Intents or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands or Hereditaments, which shall be conveyed and settled to, for and upon such and the like Uses, Trusts, Intents and Purposes, and in the same manner as the Lands or Hereditaments which shall be so purchased, taken or used as aforesaid, stood settled or limited, or such of them as at the time of making such Conveyance and Settlement shall be existing, undetermined and capable of taking Effect; and in the mean time, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery upon Application thereto, be vested by the said Accountant General in his Name in the Purchase of some of the Publick Funds or Annuities transferrable at the Bank of *Ireland*, and in the mean time and until the said Publick Funds or Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Funds or Annuities shall, from time to time, be paid by Order of the said Court, to the Person or Persons who would for the time being have been entitled to the Rents and Profits of the said Lands or Hereditaments so hereby directed to be purchased in case such Purchase or Settlement were made.

Laid out under
the Direction of
Court.

Dividends &c.
how applied.

XVIII. Provided

XVIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands or Hereditaments purchased, taken or used for the Purposes aforesaid, and belonging to any Corporation or to any Person or Persons under Incapacity or Disability as aforesaid, shall be less than the Sum of Two Hundred Pounds, and shall exceed the Sum of Twenty Pounds, then, and in such case, the same shall (at the Option of the Person or Persons for the time being entitled to the Rents and Profits of the Lands or Hereditaments taken or used, or of his or her or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands) be paid into the said Bank of *Ireland* in the Name and with the Privity of the said Accountant General of the said High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in the manner hereinbefore directed, or otherwise the same shall be paid, at the like Option, to Two Trustees to be nominated by the Person or Persons making such Option, and approved of by the Commissioners for executing this Act, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties) in order that such Principal Money and the Dividends arising therefrom may be applied in manner hereinbefore directed, so far as the same may be applicable without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

Compensation
less than 200l.
and exceeding
20l. how applied.

XIX. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last before mentioned shall be less than Twenty Pounds, then, and in all such cases, the same shall be applied to the Use of the Person or Persons who would for the time being have been entitled to the Rents and Profits of the Lands or Hereditaments so purchased, taken or used for the Purposes of this Act, in such manner as the said Commissioners for executing this Act shall think fit, or in case of Infancy or Lunacy, then to his, her or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Where Money
less than 20l.
how applied.

XX. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be so ordered to be paid as aforesaid, shall not be able to make a good Title to the Premises, to the Satisfaction of the said Commissioners, or any Three or more of them, or shall refuse to execute such Conveyance or Conveyances, or such Release, Acquittance or Discharge as is required by this Act, or in case such Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid cannot be found, or in case it shall not satisfactorily appear to such Commissioners what Shares and Proportions of any Purchase Money or Recompence for Damages ought to be paid or allowed to any Tenant or other Person having a particular Estate, Term or Interest in any Premises; or if the Person or Persons entitled to any Lands, Tenements or Hereditaments, be not known or discovered, then, and in every such Case, it shall and may be lawful to and for the said Commissioners, or any Three or more of them, to order the said Sum or Sums of Money so awarded to be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the said

In case of not
making out
Titles,

or Persons not
being found,
Purchase Money
paid into the
Bank.

Subject to Order
of Court.

Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements or Hereditaments [*describing them*], subject to the Order, Controul and Disposition of the said Court of Chancery; which said Court, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Publick Funds, or to order Distribution thereof, or Payment of the Interest thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *Ireland*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

In what case
Purchaser
deemed entitled
according to
Possession.

XXI. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *Ireland*, in the Name and with the Privy of the Accountant General of the Court of Chancery in pursuance of this Act, for the Purchase of any Messuages, Lands, Tenements or Hereditaments, or of any Estate, Right or Interest in any Messuages, Lands, Tenements or Hereditaments, to be purchased in pursuance of this Act, or to any Publick Funds or Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Funds or Annuities, the Person or Persons who shall have been in Possession of such Messuages, Lands, Tenements or Hereditaments at the time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Messuages, Lands, Tenements or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Funds or Annuities to be purchased with such Money, and also the Capital of such Funds or Annuities, shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Messuages, Lands, Tenements or Hereditaments, or to some Estate or Interest therein.

Court may order
Expences of
Purchases to be
paid by Trustees.

XXII. Provided also, and be it further enacted, That when by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases from time to time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Commissioners out

out of the Monies to be received by virtue of this Act, who shall from time to time pay such Sums of Money for such Purposes as the said Court shall direct.

XXIII. And be it further enacted, That it shall and may be lawful for the said Commissioners from time to time to make, erect and build, in and upon the Island called *Ireland's Eye*, and in the Sea between the said Island and the Main Land, such Piers, Quays, Works, Erections and Buildings as to the said Commissioners shall seem necessary or expedient for the more effectual Improvement and Completion of the said Harbour of *Howth*, or of the Security and Facility of the Access of Vessels thereto; and that all such Piers, Quays, Works, Erections and Buildings at the said Island, or in the Sea between the same and the Main Land, shall be made, erected and built under the Powers and Provisions of this Act; and the said Commissioners shall have all such Powers for making, erecting and building the same, and for obtaining Materials for the same, as are by this Act given to or vested in the said Commissioners with respect to the said Harbour; and all such Piers, Quays, Works, Erections and Buildings whatsoever, shall be and become vested in the said Commissioners, and afterwards in the Corporation for preserving and repairing the Port of *Dublin*, in like manner as is in this Act provided with respect to the Piers, Quays, Works, Erections and Buildings whatsoever heretofore made or hereafter to be made, erected and built in or about the said intended Harbour of *Howth*; and all the Provisions of this Act shall extend to all such Piers, Quays, Works, Erections and Buildings whatsoever in the said Island called *Ireland's Eye*, in like manner as the same are extended to the said Harbour and the other Works in this Act before mentioned.

Commissioners
may build Piers,
&c. at *Ireland's*
Eye, &c.

Vested in
Commissioners,
&c.

XXIV. And be it further enacted, That if any Person shall wilfully obstruct, molest or hinder any Surveyor, Engineer, Workman or Labourer employed by the said Commissioners for the Purposes of this Act, in the Performance of his or their Duty or Employment in the Execution of this Act, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, nor less than Forty Shillings; and if any Person shall wilfully and to the Prejudice of the said Harbour break, throw down, damage or destroy any Pier, Dock, Quay, Reservoir, Erection, Machine, Building or Work whatever, heretofore erected or made, or hereafter to be erected or made by virtue of this Act, or any Part thereof, or shall obstruct, hinder or divert the Course of any Stream of Water, which at any time before the passing of this Act ran or flowed into the Sea at the said Harbour, or shall do any other wilful Hurt or Mischief to obstruct, hinder or prevent the carrying on, completing, supporting, improving and maintaining of the said Harbour, or of any Waterworks or other Works erected under this Act, every such Person shall be adjudged guilty of Felony; and every such Person so offending, and being thereof lawfully convicted, shall be subject to the like Pains and Penalties as in Cases of Felony, and the Court by or before whom such Person shall be tried and convicted, shall have Power and Authority to cause such Person to be punished in like manner as Felons are directed to be punished by the Law of *Ireland*; or in Mitigation of such Punishment such Court may award such lesser Punishment as to such Court shall seem proper.

Obstructing Exe-
cution of Act.

Penalty.

Obstructing
Course of
Water, &c.

Felony.

XXV. And be it further enacted, That every Fine, Penalty and Penalties how
and recovered, &c.

Distress.

and Forfeiture inflicted by this Act, (the levying and Recovery whereof is not particularly hereinbefore directed) shall and may be recovered on Conviction of the Offender by the Oath of One credible Witness, or on his own Confession, before any One Justice of the Peace for the County or Place wherein the Offence shall be committed or the Offender shall be; and every such Fine, Penalty and Forfeiture shall and may, in case of Non-payment thereof, be levied by Distress and Sale of the Goods and Effects of the Offender or Offenders, by Warrant under the Hand and Seal of any such Justice of the Peace, and every such Justice is hereby authorized and required to examine Witnesses upon Oath, and to hear and determine all Complaints touching any such Offence or Offences; and every Fine, Forfeiture and Penalty (the Application whereof is not hereinbefore particularly directed), shall be paid into the Hands of the Secretary to the said Commissioners, and shall be applied and disposed of to the Purposes of this Act; and the Overplus of the Money raised by such Distress and Sale, after deducting such Fine, Penalty or Forfeiture, and the Expences of such Distress and Sale, shall be rendered to the Owner of the Goods and Effects so distrained; and for Want of sufficient Distress, or in case the Fine, Penalty or Forfeiture shall not be forthwith paid, it shall be lawful for such Justice by Warrant under his Hand, to commit such Offender to the Common Goal or House of Correction, there to remain without Bail or Mainprize for any time not exceeding Three Calendar Months, unless such Fine, Penalty or Forfeiture, and all reasonable Charges attending the Recovery thereof shall be sooner paid and satisfied.

Imprisonment.

Limitation of Actions.

XXVI. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done by virtue or in pursuance of this Act, until Twenty one Days Notice thereof in Writing shall have been given to the said Commissioners, nor after a sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, nor after six Calendar Months next after the Fact committed; and every such Action shall be brought in some of His Majesty's Courts of Record at *Dublin*, and shall be laid in the County of *Dublin* and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear so to be done, or if such Action or Suit shall be brought after the time hereinbefore limited for bringing the same, or shall be brought without Twenty one Days Notice thereof, or shall be brought in any other County or Place, or after a sufficient Satisfaction made or tendered as aforesaid, that then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of his, her or their Action or Actions, or if a Verdict should pass against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Double Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or have for Costs of Suit in any other Cases of Law.

General Issue.

Double Costs.

C A P. LXXIII.

An Act to alter, explain and amend the Laws now in force respecting the Trade of *Bakers*, residing out of the City of *London* or the Liberties thereof, or beyond Ten Miles of the Royal Exchange.

[9th June 1810.]

WHEREAS an Act was passed in the Thirty first Year of the Reign of His late Majesty King George the Second, intituled, *An Act for the due making of Bread, and to regulate the Price and Affize thereof, and to punish Persons who shall adulterate Meal, Flour or Bread*: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King George the Third, intituled, *An Act for explaining and amending an Act made in the Thirty first Year of the Reign of His late Majesty King George the Second, intituled, An Act for the due making of Bread, and to regulate the Price and Affize thereof, and to punish Persons who shall adulterate Meal, Flour or Bread*: And whereas an Act was passed in the Thirteenth Year of His said present Majesty's Reign, intituled, *An Act for better regulating the Affize and making of Bread*: And whereas some of the Regulations and Provisions contained in the said several Acts have been found defective, and in some respects injurious to the Bakers and the Publick; and it is therefore expedient that the same should be altered and amended, and more effectual Provisions made for ascertaining the due Weight of Bread, and for the better Observance of the Lord's Day, commonly called *Sunday*: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons residing beyond the City of *London* or the Liberties thereof, or beyond Ten Miles of the Royal Exchange, who shall make any Bread for Sale, or who shall send out or expose to or for Sale any Bread which shall be deficient in Weight, according to the Affize which shall be set for any such Bread from time to time to be sold at, in pursuance of any Act or Acts then in force for regulating the Price and Affize of Bread, then it shall be lawful for any Magistrate or Magistrates, Justice or Justices of the Peace within the Limits of their respective Jurildictions, before whom any Information shall be given upon the Oath of One or more credible Witnesses of any such Deficiency in Weight, and also for any Peace Officer or Officers authorized by Warrant under the Hand and Seal or Hands and Seals of any such Magistrate or Magistrates, Justice or Justices (and which Warrant any such Magistrate or Magistrates, Justice or Justices is and are hereby empowered to grant upon receiving such Information upon Oath as aforesaid) at seasonable Times in the Day Time to enter into any House, Shop, Stall, Bakehouse, Warehouse or Out-house of or belonging to any such Baker or Seller of Bread, against whom such Information shall have been made as aforesaid, to search for, view, weigh and try all such Bread as shall be then and there found, and shall have been baked within Twenty four Hours next preceding the time of the same having been so weighed, and which Bread shall be weighed by the Bushel, or in any larger or smaller Quantity, as may be found most convenient; and if on the weighing

31 G. 2. c. 29.

3 G. 3. c. 6.

13 G. 3. c. 62.

Selling Bread
short of Weight.

Search Warrants.

Short Weight.

Penalty.

Seizure.

Bakers to have
Weights and
Scales.

Penalty.

weighing of such Bread any Deficiency shall be found in its due Weight on the Average of the whole Weight of all such Bread as shall be then and there found, and which shall have been baked within Twenty four Hours as aforesaid, and which Deficiency shall be proved before such Magistrate or Magistrates, Justice or Justices, upon the Oath or Oaths of the Party or Parties weighing the same, then he or they so offending in the Premises, and being thereof convicted, shall forfeit and pay a Sum not exceeding Five Shillings for every Ounce of Bread which shall be found deficient in Weight on the Average of all such Bread as shall have been so weighed, and so in proportion for every Deficiency of Weight less than an Ounce, as any such Magistrate or Magistrates, Justice or Justices, before whom any such Deficiency in Weight shall be proved as aforesaid shall think fit to order, except as hereafter is excepted ; and any such Magistrate or Magistrates, Justice or Justices, Peace Officer or Officers, within the Limits of their respective Jurisdictions, may in such Case where there is a Deficiency of Weight on the Average as aforesaid, seize all such Loaves as shall be so found deficient in their due Weight ; and any such Magistrate or Magistrates, Justice or Justices, may dispose thereof as he or they in his or their Discretion shall think fit, except it shall be proved to any such Magistrate or Magistrates, Justice or Justices, by or on the Behalf of the Parties against whom such Information shall be made by the Oath, or Affirmation, being a *Quaker*, of any One or more respectable House-keeper, that such Deficiency in Weight wholly arose from some unavoiable Accident in baking or otherwise, or was occasioned by or through some Contrivance or Confederacy.

II. And be it further enacted, That every Baker and Seller of Bread beyond the said City of *London* and the Liberties thereof, and beyond the said Ten Miles of the Royal Exchange, shall have fixed in some convenient Place of his or her Shop a Beam and Scales, with proper Weights of the Assize Weight of a Half-peck Loaf, a Quartern Loaf, and a Half-quartern Loaf ; and also of an Eighteen penny, One Shilling, Six penny and Three penny Loaf ; and that any Person or Persons who may purchase any such Loaf or Loaves of Bread from any such Baker or Seller of Bread, may, if he, she or they shall think proper, require the same to be weighed in his, her or their Presence ; and if any such Loaf or Loaves shall be found deficient in Weight, then the Person or Persons demanding the same to be so weighed, shall have the Deficiency made up with other Bread or another Loaf or Loaves given in lieu thereof, as may be required by such Person or Persons ; and any such Baker or Seller of Bread as aforesaid, who shall neglect to fix such Beam and Scales in some convenient Part of his or her Shop, or to provide and keep for Use proper Weights, or whose Weights shall be deficient in their due Weight, or who shall refuse to weigh any Half-peck Loaf, Quartern Loaf, or Half-quartern Loaf or Loaves purchased in his, her or their Shop, in Presence of the Party or Parties requiring the same, and shall be thereof convicted, either by the Oath of One or more credible Witnesses or Witnesses, or his, her or their own Confession, he, she or they shall, for every such Offence, forfeit and pay a Sum not exceeding Ten Shillings, as the Magistrate or Magistrates, Justice or Justices, before whom such Offender shall be convicted shall think fit.

III. Provided

III. Provided always and be it further enacted, That no Master, Mistress, Journeyman or other Person respectively exercising or employed in the Trade or Calling of a Baker, beyond the said City of *London* or the Liberties thereof, or beyond the said Ten Miles of the Royal Exchange, shall, on the Lord's Day, commonly called *Sunday*, or any Part thereof, make or bake any Household or other Bread, Rolls or Cakes of any Sort or Kind, or shall on any Part of the said Day, excepting between the Hours of Ten of the Clock in the Forenoon and half past One of the Clock in the Afternoon, on any Pretence whatsoever, sell or expose to Sale, or permit or suffer to be sold or exposed to Sale, any Bread, Rolls or Cakes of any Sort or Kind, or bake or deliver, or permit or suffer to be baked or delivered, any Meat, Pudding, Pie, Tart or Victuals, at any time after half past One of the Clock in the Afternoon of that Day, or in any other manner exercise the Trade or Calling of a Baker, or be engaged or employed in the Business or Occupation thereof, save and except so far as may be necessary in setting and superintending the Sponge to prepare the Bread or Dough for the following Day's Baking, and that no Meat, Pudding, Pie, Tart or Victuals shall be brought to or taken from any Bakehouse during the time of Divine Service in the Church of the Parish, Hamlet or Place where the same is situate, nor within one Quarter of an Hour of the time of Commencement thereof; and every Person offending against the foregoing Regulations, or any One or more of them, or making any Sale or Delivery, hereby allowed between the Hours aforesaid, otherwise than within the Bakehouse or Shop, and being thereof convicted before any Justice of the Peace of the County, City or Place where the Offence shall be committed, within Two Days from the Commission thereof, either upon the View of such Justice, or on Confession by the Party, or Proof by One or more Witnesses or Witnesses upon Oath, shall, for every such Offence, forfeit, pay and undergo the Forfeiture, Penalty and Punishment hereinafter mentioned, that is to say, for the first Offence any Sum not exceeding Five Shillings, for the Second Offence any Sum not exceeding Ten Shillings, and for the Third and every subsequent Offence respectively any Sum not exceeding Fifteen Shillings, and shall moreover on every such Conviction, bear and pay the Costs and Expences of the Prosecution, such Costs and Expences to be assessed, settled and ascertained by the Justice convicting; and the Amount thereof, together with such Part of the Penalty as such Justice shall think proper, to be allowed to the Prosecutor or Prosecutors for Loss of time in instituting and following up the Prosecution, at a Rate not exceeding Three Shillings *per Diem*, and be paid to the Prosecutor or Prosecutors for his and their own Use and Benefit, and the Residue of such Penalty to be paid to such Justice, and within Seven Days after his Receipt thereof to be transmitted by him to the Churchwardens or Overseer or Overseers of the Parish or Parishes where the Offence shall be committed, to be applied for the Benefit of the Poor thereof; and in case the whole Amount of the Penalty, and of the Costs and Expences as aforesaid, be not paid within Three Days after Conviction of the Offender or Offenders, such Justice shall and may, by Warrant under his Hand and Seal, direct the same to be levied and raised by Distress and Sale of the Goods and Chattels of the Offender or Offenders, and in Default

Baking on Sunday.

Hours.

Setting and superintending Sponge.

First Offence.

Second Offence.

Subsequent Offence.

Distress.

or

Imprisonment.

Proviso for
Universities.

or Insufficiency of such Distress commit the Offender or Offenders to the House of Correction on a First Offence for any time not exceeding Seven Days, on the Second Offence for any time not exceeding Fourteen Days, and on the Third or any subsequent Offence for any time not exceeding Twenty one Days, unless the whole of the Penalty, Costs and Expences be sooner paid and discharged.

IV. Provided likewise, and be it further enacted, That neither this Act nor any thing herein contained shall extend or be construed to extend to prejudice the ancient Right or Custom of the Two Universities of *Oxford* and *Cambridge*, or either of them, or of their or either of their Clerks of the Market, or the Practice within the several Jurisdictions of the said Universities or either of them used to ascertain and appoint the Weight of all Sorts of Bread to be sold or exposed to Sale within their several Jurisdictions, but that they and every of them shall and may severally and respectively from time to time, as there shall be Occasion, ascertain and appoint within their several and respective Jurisdictions the Weight of all Sorts of Bread to be sold or exposed to Sale by any Baker or other Person whatsoever within the Limits of their several Jurisdictions, and shall and may inquire and punish the Breach thereof as fully and freely in all respects as they used to do, and as if this Act had never been made, any thing herein contained to the contrary notwithstanding.

Former Acts in
force.

V. And be it further enacted, That all Powers, Authorities, Provisions, Directions, Penalties, Forfeitures, Clauses, Matters and Things contained in the several Acts now in force, not altered or varied by any of the Provisions of this Act, as far as the same are or can be made applicable, and can be applied for the carrying into Execution the Purposes of this Act, shall be used, exercised, and put in Execution for enforcing, the Regulations, Provisions and Directions of this Act, in such and the same manner as if the same were herein contained, and were at large re-enacted and made Part of this Act, and the Penalties by this Act inflicted shall be recovered and applied in like manner as the Penalties by the said several other Acts inflicted are directed to be recovered and applied.

Publick Act.

VI. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded.

C A P. LXXIV.

An Act to grant to His Majesty certain additional Duties upon Letters and Packets sent by the Post within *Ireland*.

[15th June 1810.]

Most Gracious Sovereign,

WE Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, being desirous of raising the necessary Supplies to defray your Majesty's Publick Expences, and of making a permanent Addition to the Publick Revenue of *Ireland*, have freely and voluntarily resolved to give and grant unto your Majesty the Rates and Duties hereinafter mentioned; And do therefore most humbly beseech your Majesty that it may be enacted; and be it

enacted

enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Expiration of Ten Days after the passing of this Act, it shall and may be lawful to and for the Postmaster or Postmasters General of *Ireland* for the time being, and his or their Deputy or Deputies, Servants and Agents, to and for the Use of His Majesty, his Heirs and Successors, to have, demand, receive and take for the Portage and Conveyance of all Letters and Packets which he or they shall convey, carry or send Post to and from Places within *Ireland*, the additional Rates and Duties hereinafter specified, the same being rated by the Letter or by the Ounce; (that is to say) for the Port and Conveyance of every single Letter or Piece of Paper from the Office in *Ireland*, where such Letter or Piece of Paper shall be put in, to any Distance within *Ireland*, the Sum of One Penny, for every Double Letter Two pence, for every Treble Letter Three pence, and for every Ounce in Weight, and for every Packet not exceeding an Ounce in Weight Four pence, and so in proportion for any greater Weight than One Ounce, reckoning every Quarter of an Ounce equal to a Single Letter; and that all Letters and Packets directed from any Place in *Ireland*, to any Part or Parts in *Great Britain* or beyond the Seas, or received in *Ireland* from *Great Britain* or any Part or Parts beyond the Seas, shall be charged and pay for their Portage and Conveyance within *Ireland*, from or to *Dublin*, *Waterford*, *Donaghadee*, or any other Port where Packet Boats for the Conveyance of Letters to and from *Ireland* are or may be established, as they shall respectively be shipped from or landed in any of the said Places, according to the Additional Rates aforesaid; and that every Letter or Packet passing through the General Post Office in the City of *Dublin*, from any Place within *Ireland* not less distant than Four Miles from the General Post Office in the said City, to any Place within *Ireland* not less distant than Four Miles from the General Post Office in the said City, shall be charged and pay according to the said Additional Rates to *Dublin*, and be further charged and pay according to the said Additional Rates from *Dublin*; all which Rates and Duties shall be over and above the Duties of Postage payable on any such Letters and Packets under any Act or Acts in force in *Ireland* at the time of passing of this Act.

Additional Rates
of Postage,within *Ireland*.From *Ireland* to
G. B. &c.

II. And be it enacted, That from and after the Expiration of Ten Days after the passing of this Act, so much of an Act made in the Forty third Year of His present Majesty's Reign, for granting Rates and Duties upon Letters and Packets sent by the Post within *Ireland*, as relates to the Mode of folding printed Newspapers sent by the Post free of the Duty of Postage, and as provides that no Newspapers printed in *Ireland* shall pass free of Postage, unless such Newspapers shall be put into the Post Offices of the Cities and Towns where or in which such Newspapers be printed, Two Hours at least before the time of the Post being dispatched therefrom, shall be and the same is and are hereby repealed.

43 G. 3. c. 20.
§ 16.
§ 17.

repealed.

III. And be it further enacted, That the said Rates and Duties hereby granted shall be paid and payable in *Irish* Currency, and shall be raised, levied, collected, managed, recovered and applied, under such

Rates paid in
Irish Currency;
levied as under

40 G. 3. c. 28.

such and the like Powers and Authorities, Rules, Regulations and Restrictions, Penalties and Forfeitures, and subject to the like Provisions, Exemptions and Exceptions, and Privileges as are mentioned, expressed and contained in an Act made in the Forty third Year of the Reign of His present Majesty, intituled, *An Act for granting to His Majesty certain Rates and Duties upon Letters and Packets sent by the Post within Ireland*, or in any other Act or Acts in force in *Ireland* relating to the Rates and Duties on Letters and Packets sent by the Post within *Ireland*; and that all and every the Clauses, Matters and Things, in the said recited Act of the Forty third Year aforesaid, mentioned, expressed and contained, or in any other Act or Acts in force in *Ireland* relating to such Rates and Duties, shall be applied and extended, and shall be construed to apply and extend to this present Act, as fully and effectually, to all Intents and Purposes, as if the same had been repeated and re-enacted in this present Act, save only so far as respects the Amount of Duties under the said Acts or any of them, and save and except so far as the said Acts or any of them are altered or repealed by this Act.

C A P. LXXV.

An Act to grant to His Majesty an additional Duty on Dwelling Houses in *Ireland*, in respect of the Windows or Lights therein.

[15th June, 1810.]

Most Gracious Sovereign,

WE Your Majesty's most dutiful and loyal Subjects the Commons of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies to defray your Majesty's Publick Expences in *Ireland*. have freely and voluntarily resolved to give and grant unto your Majesty the Duties hereinafter mentioned, and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifth Day of *January* One thousand eight hundred and ten, there shall be raised, levied, collected and paid unto His Majesty, his Heirs and Successors, over and above all Rates and Duties on Houses in *Ireland* in respect of the Windows or Lights therein, under and by virtue of any Act or Acts in force at the time of the passing of this Act, the Duty hereinafter described and set forth (that is to say), for and out of every Tenement or Dwelling House in *Ireland*, having more than Six Windows or Lights therein, an additional Duty after the Rate of Fifty Pounds for every One hundred Pounds of the Amount of the Duties payable on such Houses, in respect of the Windows or Lights therein, under or by virtue of any Act or Acts in force at the time of the passing of this Act.

Additional Duty
on Windows in
Houses having
more than Six.

Duty payable in
British Currency.

Consolidated
Fund.

II. And be it further enacted, That the additional Duty by this Act granted and made payable shall be paid and payable, and received and receivable according to the Amount thereof in *British* Currency; and that the said additional Duty, the necessary Charges of receiving and accounting for the same being deducted, shall be carried to and made Part of the Consolidated Fund of *Ireland*.

III. And

III. And be it further enacted, That all and every the Clauses, Powers of Regulations, Provisions, Penalties, Forfeitures and Modes of Recovery thereof, provided, mentioned and contained in an Act made in the Forty seventh Year of His present Majesty's Reign, intituled, *An Act to provide for regulating and securing the Collection of certain Rates and Taxes in Ireland, in respect of Dwelling Houses, Fire Hearths, Windows, Male Servants, Horses, Dogs and Carriages;* 47 G. 3. Sess. 1. c. 21. and in an Act made in the Forty eighth Year of His present Majesty's Reign, intituled, *An Act to grant to His Majesty certain Duties and Taxes in Ireland, in respect of Carriages, Dogs, Fire Hearths, Horses, Male Servants and Windows, in lieu of former Duties and Taxes in respect of the like Articles;* 48 G. 3. c. 42. extended to this Act. or in any other Act or Acts of Parliament relating to the said Duties, Rates and Taxes, or any of them, shall be applied and put in Practice in the Execution of this Act, as fully and effectually to all Intents and Purposes whatsoever, as if all the said Clauses, Rules and Regulations, Restrictions, Provisions, Penalties and Forfeitures and Modes of Recovery thereof, had been expressly repeated and re-enacted in this Act, and that the said recited Acts and this Act shall be construed together as One Act to all Intents and Purposes whatsoever.

C A P. LXXVI.

An Act to repeal certain Duties under the Care of the Commissioners for managing the Stamp Duties in *Ireland*, and to grant new and additional Duties, and to amend the Laws relating to the Stamp Duties in *Ireland*. [15th June 1810.]

Most Gracious Sovereign,

WHEREAS it is expedient to repeal certain Rates and Duties upon stamped Vellum, Parchment and Paper, and upon other Articles and Things under the Care of the Commissioners for managing the Stamp Duties in *Ireland*; Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and singular the Duties upon, or for or in respect of the several Articles, Matters and Things, mentioned in Schedule A. to this Act annexed, under the Care and Management of the Commissioners for managing the Duties upon stamped Vellum, Parchment and Paper in *Ireland*, and also all Allowances whatever on the Purchase of any Stamps in *Ireland*, granted and made payable by any Act or Acts in force in *Ireland*, shall, from and after the Commencement of this Act, cease and determine, save and except as hereinafter and in the Schedule hereunto annexed is excepted, and save and except in all Cases relating to the recovering, allowing or paying any Arrears of Duties or Allowances remaining unpaid, and in all Cases relating to any Offence, Fine, Penalty or Forfeiture, which shall have been committed or incurred under the said Acts or any of them, on or before the Commencement of this Act.

Former Duties and Allowances repealed.

II. And whereas the Commons of the United Kingdom of *Great Britain and Ireland* in Parliament assembled, towards raising the necessary Supplies granted to Your Majesty, and for Support of Your Majesty's Government, have resolved to grant to Your Majesty

New Stamp Duties granted as in Schedule A. and Allowances according to Schedule B.

† Sic.

Duties, &c. (except under 6d. &c.) payable in British Currency.

Duties under Commissioners of Stamps.

Dealers to have Stamps permanently fixed in Hats.

Penalty.

Distributing Hand Bills unstamped.

several new and other Duties on stamped Vellum, Parchment and Paper, and other Articles and Things under the Management of the Commissioners of Stamp Duties in *Ireland*; and do most humbly beseech Your Majesty that it may be enacted; and be it therefore enacted, That, from and after the Commencement of this Act, in lieu and instead of the said Duties and Allowances by this Act repealed, there shall be raised, levied, collected and paid in *Ireland*, unto His Majesty, his Heirs and Successors, for and in respect of the several Instruments, Articles, Matters and Things mentioned, enumerated and described in the Schedule marked A. to this Act annexed, the several Sums of Money and Duties, as they are respectively inserted, described and set forth, in Words and Figures in the said Schedule A.; and that there shall be made, allowed and paid, for or in respect of all such Articles, Matters and Things, as are inserted, enumerated and described in the Schedule marked B. to this Act annexed, the several Allowances or Sums of Money respectively inserted, described and set forth in the said Schedule marked B. any thing in any former Act or Acts contained to the contrary notwithstanding; and that no Sum or Sums of Money shall be paid or given in the Nature of Discount or Allowance, on the Purchase of Stamps, other than such as is and are expressed and directed in the said Schedule marked B. any thing in any former Act or Acts to the contrary notwithstanding, and in † the said Schedules marked A. and B. shall be deemed and taken as Part of this Act.

III. And be it further enacted, That the several Duties and Allowances by this Act granted and made payable, (save and except Duties less than Six pence, and Duties exceeding Six pence and less than One Shilling) shall be paid and payable according to the Amount thereof in *British* Currency; and that in all Cases where any Duties of Stamps, or any Allowances in respect thereof, are directed to be ascertained by the Amount of any Sum in respect whereof such Duties are imposed, or such Allowances are made, such Amount, and the Duties and Allowances in respect thereof, shall be estimated, calculated and taken in *British* Currency.

IV. And be it further enacted, That the several Duties and Allowances hereby granted and made payable shall be under the Government, Care and Management of the Commissioners for the time being appointed to manage the Duties upon stamped Vellum, Parchment and Paper in *Ireland*.

V. And be it further enacted, That from and after the Commencement of this Act, no Person or Persons dealing in Hats, either as a Manufacturer or Importer of Hats, or as a Wholesale or Retail Dealer therein, shall have in his, her or their Custody or Possession, any Hat lined, mounted or ornamented, without having permanently affixed and appearing in a conspicuous Place therein, the Stamp to which such Hat would at the time be liable had it been uttered, vended or sold, upon Pain that every Person and Persons offending in either of the said Cases shall forfeit and pay to such Person or Persons as shall sue for the same, the Sum of Ten Pounds for every Hat which shall not have permanently affixed therein as aforesaid such Stamp as aforesaid.

VI. And be it further enacted, That in case any Person or Persons shall hawk, carry about, disperse or distribute any Hand Bill, not being stamped or marked with the Stamp Duty, by Law required,

quired, every such Person being thereof convicted before any Justice of the Peace, by his or her Confession, or by the Oath of One or more credible Witnesses or Witnesses, or upon the View of such Justice, shall forfeit Five Shillings to the Person who shall prosecute for the same, and in default of immediate Payment thereof, shall and may be committed by such Justice to any Common Gaol within his Jurisdiction for any time not exceeding One Week, or until he or she shall pay such Penalty, and it shall and may be lawful for any Person to seize, apprehend and carry before any Justice of the Peace of the County, City or Place, where such Offence shall be committed, any such Person so offending as aforesaid.

Penalty.

Imprisonment.

VII. And be it further enacted, That if any Printer shall print or cause to be printed any unstamped Hand Bill, containing a single Advertisement, such Hand Bill being subject to a Stamp Duty, and shall be convicted thereof before any Justice of the Peace, upon his, her or their own Confession, or upon the Oath of a credible Witness, such Printer shall, for every such Offence, forfeit the Sum of Five Pounds to any Person who shall prosecute for the same.

Printing unstamped Hand Bills.

Penalty.

VIII. And be it further enacted, That if any Proctor in any Ecclesiastical Court, or in the Court of Admiralty in *Ireland*, who shall not have previously paid the full Amount of the Stamp Duty by Law charged and payable on any Warrant to appear for any Plaintiff or Defendant promovant or impugnant, or to prosecute or defend any Suit, or to confess Judgment therein, or on any Motion, Process, Pleading, Rule, Order, Record, Instrument or Proceeding whatsoever, in any Suit shall charge to the Plaintiff or Defendant promovant or impugnant, in such Suit, or shall receive from such Plaintiff or Defendant promovant or impugnant, or from any other Person, the Amount of any such Stamp Duty, and shall not have actually made Use of, or issued or filed the Warrant, Motion, Process, Pleading, Rule, Order, Record, Instrument or Proceeding, duly stamped as is required by Law, for which such Charge shall be made or such Amount shall be received, such Proctor shall, for every such Offence, forfeit the Sum of One hundred Pounds.

Proctors charging for Stamps not used.

Penalty.

Process in Ecclesiastical and Admiralty Courts.

IX. And be it further enacted, That from and after the Commencement of this Act, no Motion, nor any Process or Mandate to require the Appearance of any Person or Persons whatsoever in any Suit, shall issue or pass the Seal of any Ecclesiastical Court, or of the Court of Admiralty in *Ireland*, nor shall any Appearance be received or entered in any Suit in any of the said Courts, unless and until the Proctor who shall issue such Process or Mandate, or who shall enter such Appearance, shall first file or cause to be filed with the proper Officer of the Court who shall issue such Process or Mandate, or shall enter or file such Appearance, a Warrant of Attorney duly stamped from the Person or Persons at whose Suit or on whose Behalf such Process or Mandate shall so issue, or such Appearance shall be entered, empowering such Proctor to issue such Process or Mandate, or to enter such Appearance, as the case may be.

Penalties paid in British Currency.

X. And be it further enacted, That all Penalties and Forfeitures by this Act inflicted and made payable, shall be paid and payable in *British* Currency; and that all Powers, Provisions, Rules, Methods, Directions, Articles, Clauses, Exceptions, Penalties, Forfeitures, Matters and Things, contained in an Act made in the Forty third Year of the Reign of His present Majesty, intituled, *An Act for*

Former Acts,
40 G. 3. c. 21.
&c.

granting

granting to His Majesty several Duties therein mentioned, to be levied by the Commissioners for managing the Stamp Duties in Ireland; and in all and every or any other Act and Acts for the granting of Stamp Duties, or for the amending of the Laws for regulating the Stamp Duties in Ireland, shall be of Force and Effect, and shall be applied and put in Execution for the raising, levying, paying, collecting, enforcing and securing the Duties and Allowances by this Act granted and made payable, and for the Recovery and levying of all Penalties and Forfeitures inflicted by this Act, as fully and effectually, to all Intents and Purposes, as if the same had been hereby re-enacted with relation to the Duties and Allowances by this Act granted and made payable, and to the Penalties and Forfeitures hereby inflicted, except only so far as any of such Powers, Provisions, Rules, Methods and Directions, Articles, Exceptions, Penalties and Forfeitures, Clauses, Matters and Things, in the said Acts or any or either of them contained, are expressly altered or repealed, or otherwise provided for by this Act, or by any other Act or Acts in force in Ireland.

Licences for selling Spirits.

XI. And be it further enacted, That any Licence to sell Spirituous Liquors, Wine, Beer, Porter, Ale, Cyder or Perry, Metheglin or Mead, by Retail, the Stamp Duty whereon shall exceed the Sum of Eleven Pounds, shall authorize the Person licensed thereby to sell Spirituous Liquors in any Quantity whatever, great or small, without any further or other Licence: Provided always, that no Person, the Stamp Duty on the Licence to whom to sell such Liquors by Retail shall be less than Twenty two Pounds, shall be authorized by such Licence to sell Spirits in any Quantities exceeding Two Gallons; but that if any such Person, on whose Licence any such Stamp Duty less than Twenty two Pounds shall be paid, shall pay such additional Stamp Duty as shall make the whole Stamp Duty paid by such Person amount to Twenty two Pounds, such Person shall be authorized to sell Spirituous Liquors in any Quantities whatever, great or small, without any further or other Licence: Provided also, that no Licence whatever shall authorize any Person not being a Retailer or Grocer to sell Spirituous Liquors in Quantities less than Two Gallons, nor shall authorize any Grocer to sell in Quantities less than Two reputed Quarts, nor shall authorize any Factor or other Person, not being a Distiller or Importer of Spirits, to sell Spirituous Liquors in Quantities less than Fifty Gallons.

Proviso.

49 G. 3. c. 57.

§ 14.

XII. And whereas by an Act made in the last Session of Parliament, intituled, *An Act for improving the Quality of Beer in Ireland, by further preventing the Use of unmalted Corn, or any deleterious or unwholesome Ingredients therein, and for the better securing the Collection of the Malt Duties in Ireland*; it was, among other Things, enacted, that it should not be lawful for any Person licensed to sell Spirituous Liquors, Wine, Beer, Ale and Cyder, by Retail, in the Cities of *Dublin, Cork, Waterford or Limerick*, to require, demand or receive any Certificate from the Commissioners of Excise, for the Purpose of claiming any Bounty in respect of any Quantity of Strong Beer or Ale that such Person might have sold by Retail in the Year ending the Twenty ninth Day of September One thousand eight hundred and nine, or within any subsequent Year, and that it should not be lawful for the Commissioners of Excise to give

‘ give or grant any such Certificate, nor for the Commissioners of
 ‘ Stamp Duties in *Ireland* to pay any Bounties to any such Person
 ‘ in respect of any Quantity of Strong Beer or Ale sold by such
 ‘ Person by Retail, within the said Year, or within any subsequent
 ‘ Year : And whereas by a Clerical Error, the Words “ the Year
 “ ending the Twenty ninth Day of *September* One thousand eight
 “ hundred and nine,” were inserted, instead of the Words “ the Year
 “ ending the Twenty ninth Day of *September* One thousand eight
 “ hundred and ten ; ” Be it therefore enacted, That it shall and
 may be lawful for any Person licensed to sell Spirituous Liquors,
 Wine, Beer, Ale and Cyder, by Retail in the Cities of *Dublin*,
Cork, *Waterford* or *Limerick*, to require, demand and receive any
 such Certificate from the Commissioners of Excise for the Purpose
 of claiming any such Bounty, in respect of any Quantity of Strong
 Beer or Ale, that such Person may have sold by Retail in the Year
 ending on the Twenty ninth Day of *September* One thousand eight
 hundred and nine, but not within any subsequent Year ; and that it
 shall be lawful for the Commissioners of Excise to give or grant any
 such Certificate, and, for the Commissioners of Stamp Duties in *Ire-*
land, to pay any such Bounties to such Persons in respect of any
 Quantity of Strong Beer or Ale, sold by such Person by Retail,
 within such Year ending the Twenty ninth Day of *September* One
 thousand eight hundred and nine only, under the Regulations and
 Directions of any Act in force immediately before the passing of
 the said recited Act of the last Session of Parliament ; any thing
 in the said recited Act to the contrary notwithstanding.

Bounty to Spirit
 Retailers selling
 Beer paid for
 Year ending
 Sept. 29, 1809.

XIII. And be it enacted, That every and any Penalty and For-
 feiture incurred by any Person for having sold Spirituous Liquors,
 Wine, Beer, Ale or Cyder, by Retail without Licence, shall and
 may be recovered before any one Justice of the Peace within his Ju-
 risdiction, in manner directed by an Act made in the Forty fifth
 Year of His present Majesty's Reign, intituled, *An Act for regula-*
ting Licences for the Sale of Spirituous Liquors, Wine, Beer, Ale and
Cyder by Retail, and for discouraging the immoderate Use of Spirituous
Liquors in Ireland, although such Penalty or Forfeiture may exceed
 the Sum of Twenty Pounds ; any thing in the said recited Act of
 the Forty fifth Year, or any Act or Acts for amending the same,
 to the contrary in any wise notwithstanding.

Penalties how
 recovered, &c.

45 G. 3. c. 50.

XIV. And be it further enacted, That this Act may be altered,
 amended and repealed by any Act or Acts to be passed in this present
 Session of Parliament.

Act may be
 altered.

XV. And be it further enacted, That this Act shall commence
 and take effect immediately on and after the Expiration of One
 Calendar Month after the Day of the passing thereof, and shall be
 in force from that time forward and not sooner.

Commencement.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

For and upon every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, on which shall be ingrossed, written or printed, any of the following Articles, Matters or Things, or any Part thereof, except as otherwise particularly provided, the respective Duties following: that is to say,

	£.	s.	d.
Any Grant from His Majesty, his Heirs and Successors, which shall pass the Great Seal of <i>Ireland</i> , out of the Civil List, or out of any other Fund, not being part of the Supplies of the Year, or appropriated by Parliament;			
Of any definite and certain Sum or Sums of Money, Not amounting to 100l.	1	10	0
Amounting to 100l. and not amounting to 250l.	4	0	0
Amounting to 250l. and not amounting to 500l.	10	0	0
Amounting to 500l. and not amounting to 750l.	20	0	0
Amounting to 750l. and not amounting to 1,000l.	30	0	0
Amounting to 1,000l. or upwards: for every 100l. thereof,	5	0	0
Or of any Annuity or Pension, Not amounting to 100l. per Annum,	1	10	0
Amounting to 100l. and not amounting to 200l. per Annum,	4	0	0
Amounting to 200l. and not amounting to 400l. per Annum,	10	0	0
Amounting to 400l. and not amounting to 600l. per Annum,	20	0	0
Amounting to 600l. and not amounting to 800l. per Annum,	30	0	0
Amounting to 800l. and not amounting to 1,000l. per Annum,	40	0	0
Amounting to 1,000l. per Annum, or upwards,	50	0	0
But where any such Grant of Annuity or Pension shall be made in confirmation or by way of Renewal only of any former Grant of the like Amount and Description, then only a Duty of	1	10	0
And where several and distinct Annuities or Pensions shall be granted to or for the Benefit of different Persons by the same Instrument, the proper Duty shall be charged in respect of each Annuity or Pension; but where the Grant shall be of any Annuity or Pension, to or for the Benefit of Two or more Persons jointly, the Duty shall be charged in respect of the whole.			
Any Grant or Appointment by His Majesty, his Heirs or Successors, of or to any Office or Employment, by Letters Patent, Deed, or other Writing;			

Where

	£.	s.	d.
Where the Salary, Fees and Emoluments appertaining thereto shall not amount to 50l. per Annum,	1	10	0
And where the same shall amount to 50l. and not amount to 100l. per Annum,	3	0	0
And where the same shall amount to 100l. and not amount to 200l. per Annum,	5	0	0
And where the same shall amount to 200l. and not amount to 300l. per Annum,	10	0	0
And where the same shall amount to 300l. and not amount to 500l. per Annum,	20	0	0
And where the same shall amount to 500l. and not amount to 750l. per Annum,	30	0	0
And where the same shall amount to 750l. and not amount to 1,000l. per Annum,	40	0	0
And where the same shall amount to 1,000l. and not amount to 1,500l. per Annum,	50	0	0
And where the same shall amount to 1,500l. and not amount to 2,000l. per Annum,	75	0	0
And where the same shall amount to 2,000l. and not amount to 3,000l. per Annum,	100	0	0
And where the same shall amount to 3,000l. per Annum, or upwards,	150	0	0

The said Fees and Emoluments to be estimated according to the average Amount thereof for Three Years, preceding, where practicable; and in other Cases according to the best Information that can be obtained.

And where any such Grant or Appointment shall be made to, or of Two or more Persons jointly, with separate and distinct Salaries, Fees or Emoluments; the same shall be charged with a separate and distinct Duty, in respect of each Person, according to the Amount of the Salary, Fees and Emoluments appertaining to each Person.

Provided always, that no Duty shall be charged in respect of any Person, to whom any Office or Employment shall be granted anew, upon the Revocation of any former Grant or Appointment, and who shall have paid a Stamp Duty on any former Grant or Appointment, unless the Salaries, Fees and Emoluments appertaining to such Person shall be in any manner augmented; and, in that case, a Duty shall be charged, in respect of such Person, only in proportion to the Amount of the Augmentation.

Provided also, that no Duty shall be charged upon, or in respect of more than one Skin, or Piece of Vellum or Parchment, on which any such Grant may be engrossed, printed or written.

Any Bond given pursuant to the Directions of any Act of Parliament, or by the Direction of the Commissioners of the Customs and Port Duties

		£.	s.	d.
or Inland Excise and Taxes in Ireland, or any of their Officers, for or in respect of any of the Duties of Customs or Excise or Taxes, or for preventing Frauds or Evasion thereof, or for any other Matter or Thing relating thereto,		0	10	0
Any Bond, not being for the Payment of any principal Sum, and not being otherwise charged by Law,		0	10	0
Bonds for the Payment of any principal Sum of Money to remain chargeable as under the Act 47 G. 3. ft. 1. c. 50.				
Any foreign or inland Bill of Exchange, Promissory Note, or other Note, Draft or Order, (except Bank Notes, Bank Post Bills and Drafts, or Orders in Writing on any Bank or Bankers, all which shall continue liable to the Duty with which they are charged by the said Act 47 G. 3. ft. 1. c. 50. and except Promissory Notes for any Sum not exceeding Two Pounds and Ten Shillings, passed on account of Tythes, or for Money payable to any Society for Charitable Loans, or to their Treasurer in trust for them)				
Where the Sum expressed therein shall not exceed 10l.		0	0	3
Where such Sum shall exceed	10l.	0	1	0
	30l.	0	1	6
	50l.	0	2	0
	100l.	0	3	0
	200l.	0	4	0
	500l.	0	7	0
	1,000l.	0	10	0
and shall not exceed				
	30l.	0	1	0
	50l.	0	1	6
	100l.	0	2	0
	200l.	0	3	0
	500l.	0	4	0
	1,000l.	0	7	0
	3,000l.	0	10	0
Where it shall exceed 3,000l.		1	0	0
Any Receipt or other Discharge given on the Payment of any Sum of Money, or on the Delivery of any Cheque, Draft, Bill or other Order for any Sum of Money,				
Amounting to 2l. and not amounting to 10l.		0	0	2
Amounting to 10l. and not amounting to 20l.		0	0	4
Amounting to 20l. and not amounting to 50l.		0	0	8
Amounting to 50l. and not amounting to 100l.		0	1	0
Amounting to 100l. and not amounting to 200l.		0	2	0
Amounting to 200l. and not amounting to 500l.		0	3	0
Amounting to 500l. and upwards,		0	5	0
And where any Sum of Money whatever shall be therein expressed or acknowledged to be received in full of all Demands,		0	5	0
Except Receipts for Money paid into the Bank of Ireland, or into any House of any registered Banker or Bankers, or for the Purchase of Stock, or on the Back of any Bill, Note or Deed, or by any Army or Navy Agent, Officer, Soldier or Sailor, for any Money received on account of Pay, Allowances, or other Military or Naval Perquisites or Emoluments, or by any Officer of the Exchequer, for Money re-				
				ceived

£l s. d.

ceived for His Majesty, or any Acknowledgment by Letter, of Money, Bills or Notes remitted by Post; and except any Receipt or Discharge for any Legacy, or for any Part of the Personal Estate of any Person dying Intestate, and any Receipt given by any Officer of the Revenue for the Duties on Hearths, Windows, Carriages, Horses and Male Servants; all which Receipts and Discharges shall continue liable to the Duties with which they are charged by the said Act 47 G. 3. st. 1. c. 50.

Any Letter of Attorney empowering any Person or Persons to execute any Deed or Deeds of Conveyance of Lands or Tenements in Ireland, where the Consideration for such Conveyance shall not exceed 100l.

2 • •

And where the Amount of such Consideration shall exceed 100l. or where the Amount of such Consideration shall not be expressed in such Letter of Attorney,

10 0 •

Any Warrant to any Proctor to prosecute or defend any Suit in the Court of Prerogative, or in any Ecclesiastical Court, or in the Court of Admiralty,

0 2 6

Any Appearance to be entered in any such Court or Courts in Ireland by any Proctor, for each and every Defendant named in such Entry,

0 1 •

Any Newspaper, or Paper containing Public News, Intelligence or Occurrences,

0 • 2

Any Hand Bill containing a Single Advertisement not otherwise charged, except Hand Bills respecting Charities, Robberies, Murders, Loss of Property and Sales under Distress Warrants, or Executions, or for Rent,

0 0 0½

Any Licence to any Person to sell by Retail Spirituous Liquors, Wine, Beer, Porter, Ale, Cyder or Perry, Metheglin or Mead, in the Places following, viz.

In the City of Dublin, and within the Circular Road, surrounding the said City, and within the District of the Metropolis of Dublin, or within the City of Cork, or the City of Waterford, or the City of Limerick (including all Places surrounded by the said Cities respectively, and that Part of the City of Limerick called Saint Francis's Abbey) or within the Town of Belfast,

40 0 0

Within the Rest of the respective Counties of the said Cities of Cork, Waterford and Limerick, or within One Mile thereof respectively, or in any Place beyond the Circular Road surrounding the said City of Dublin, and the Wall of His Majesty's Park the Phoenix, not more than Two Miles distant thereof, or within One Mile of the Town of Belfast, or of the Public Lamps therein,

23 0 •

	£.	s.	d.
In any other Place within the District of the Excise Office of Dublin, beyond the Circular Road, and the Wall of His Majesty's Park the Phoenix, not distant more than Five Miles therefrom, and within the Cities of Armagh, Londonderry and Kilkenny, and the Towns of Athlone, Ballinasloe, Bandon, Carlow, Cashel, Castlebar, Clonmell, Coleraine, Drogheda, Dundalk, Ennis, Enniskillen, Galway, Kinfale, Liffburne, Loughrea, Mallow, Newry, New Ross, Sligo, Tipperary, Tralee, Wexford and Youghall, and within One Mile of the Market House or Market Place therein respectively, - - -	22	0	0
In any other Parts of Ireland than those Parts before described - - -	11	0	0
And if the Person licensed in such other Parts of Ireland, other than those so before described, shall also be licensed to sell Spirituous Liquors in Quantities exceeding Two Gallons, a further Duty of -	11	0	0
Any Licence to any Person to sell by Retail, Spirituous Liquors, Wine, Beer, Porter, Ale, Cyder, Perry, Metheglin or Mead, at any Encampment of Troops in Ireland, - - -	1	0	0
And for every successive Month, - - -	1	0	0
Any Licence to sell Home-made Spirits, on Commission or otherwise, in Quantities not less than Fifty Gallons in any Place in Ireland, the Person so selling not being a licensed Distiller, - - -	21	0	0
Any Licence to sell Spirits, not being Home-made Spirits, on Commission or otherwise, in Quantities not less than Fifty Gallons, in any Place in Ireland, the Person so selling not being an Importer of such Spirits, - - -	21	0	0
Any Licence to keep a Malt House, the working or drying Floor whereof shall not be less than 1,040 square Feet, and shall not exceed 1,400 square Feet, and to make Malt for Sale therein, or for the Purpose of being used in any Brewery or Distillery, for each and every Cistern or Kila, whichever shall be the greatest in Number in each and every Malt House in which such Business shall be carried on, -	6	0	0

ARTICLES NOT STAMPED.

For every Advertisement to be contained or published in any Gazette, Newspaper, Journal or Daily Accounts (not being Daily Accounts or Bills of Goods imported into or exported from Ireland, or Abstracts thereof, liable to a Duty of 1d. under the said Act 47 G. 3. st. 1. c. 50), or in any other printed Paper or Pamphlet dispersed or made public Yearly, Monthly, or at any other Interval of Time; or in any Hand Bill containing more than one Advertisement, and for every Copy of any Proclama-

tion,

tion, Order of Council, or Act of State, made by the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, for the time being, or the Privy Council of *Ireland*, which shall be contained or published in any Gazette, Newspaper, Journal or Daily Accounts, other than the Dublin Gazette, -

£. s. d.

0 2 0

And for every Ten Lines which every such Advertisement, Proclamation, Order, or Act of State, shall contain, over and above the first Ten Lines (no such Line to exceed 20 ms of the Letter called Long Primer, or two Inches and three-quarters of an Inch), a further Duty of -

0 2 0

And if such Advertisement shall be printed in Lines exceeding such Length as aforesaid, then a Duty, in all Cases, equal to Treble the Amount of the foregoing Duties.

For each and every Day during any Fair in *Ireland*, for which any Person licensed to sell Spirituous Liquors, Wine, Beer, Ale or Porter, Cyder or Perry, Metheglin or Mead, by Retail, shall be duly authorized by a Magistrate to sell such Spirituous or other Liquors in any Hut, Tent or Booth, or in any Street, Road or Open Place, at such Fair, -

2 0 0

SCHEDULE (B.)

ALLOWANCES.

To any Person who shall bring Vellum, Parchment or Paper, to the Head Office of the Commissioners of Stamps in Dublin to be stamped, or who shall buy any Vellum, Parchment or Paper, at the said Head Office, the Duties whereof respectively shall amount to 20l. or upwards (save and except Vellum, Parchment and Paper, to be stamped with any Duty of 10l. or upwards, and save and except Hat Stamps) after the Rate of 1l. 10s. for every 100l. upon prompt Payment of the said Duty upon such Vellum, Parchment or Paper, so brought or stamped.

To any Person who shall bring any Hat Lining or Paper to the Head Office of the Commissioners of Stamps in Dublin to be stamped for Hats, or who shall buy at the said Head Office, or from any Distributor of Stamps in Ireland, any Hat Lining or Paper, with Stamps thereon for Hats, the Duties whereof respectively shall amount to 40s. or upwards, after the Rate of 10l. for every 100l. upon prompt Payment of the said Duty upon the said Hat Lining, or Paper so brought or stamped.

To Stationers and Shopkeepers who shall purchase Stamps for Receipts to the Amount at one and the same time of 5l. in consideration of their making no Charge to the Public for the Paper stamped for Receipts, but actually and *bona fide* selling the same for the Price of the Stamp only, 7l. 10s. for every 100l. of the Amount of the Duty on such Stamps for Receipts; and so in proportion for any greater or less Sum, not under the Sum of 5l. This Allowance being over and above the Allowance on the prompt Payment of the Stamp Duties to the Amount of 20l. and upwards.

C A P. LXXVII.

An Act for imposing additional Duties of Customs on certain Species of Wood imported into *Great Britain*.

[15th June 1810.]

Additional Duty
on certain Timber
imported.

49 G. 3. c. 98.

Exportation.
Drawbacks.

Commencement
of additional
Duties.

‘ **W**HEREAS it is expedient that additional Duties of Customs should be imposed on the Importation into *Great Britain* of certain Species of Wood :’ Be it therefore enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That there shall be severally and respectively raised, levied, collected and paid to and for the Use of His Majesty, his Heirs and Successors, for and upon the following Articles; *videlicet*, Balks, Battens and Batten Ends, Clap Boards, Oak Boards, Paling Boards, Pipe Boards, Wainscot Boards, Deals and Deal Ends, Fire Wood, Fir Quarters, Handspikes, Lath Wood, Masts, Yards and Bowsprits, Oak Plank, Oars, Spars, Staves, Fir Timber, Oak Timber, Ufers and Wainscot Logs, of whatever Description the same may respectively be, which shall be imported or brought into *Great Britain* from Parts beyond the Seas, additional permanent and temporary Duties of Customs, equal in Amount to the permanent and temporary Duties already payable upon the like Articles, as the said Duties are severally and respectively described and set forth in Figures in the Schedule marked (A.) annexed to an Act passed in the Forty ninth Year of the Reign of His said present Majesty, intituled, *An Act for repealing the several Duties of Customs chargeable in Great Britain, and for granting new Duties in lieu thereof*, and in consideration of the additional Duties hereby imposed, there shall be paid or allowed upon the Exportation of such of the said Articles as are now entitled to Drawback additional Drawbacks equal in Amount to what are already allowed by the said recited Act, upon Articles of the like Description exported from *Great Britain*, and which Drawbacks are also respectively described and set forth in Figures in the said Schedule marked (A.) annexed to the said recited Act.

II. And be it further enacted, That this Act shall commence and take effect, with respect to the additional Duties of Customs imposed on Fir Timber, Deals, Deal Ends, Battens, Batten Ends, Boards and Oak Plank, from and after the Thirty first Day of *December* One thousand eight hundred and eleven, and with respect to the other Articles on which additional Duties are also by this Act imposed, the same shall commence and take effect from and after the Thirty first Day of *December* One thousand eight hundred and ten: Provided always, that the said additional Duties shall be charged and shall be payable on any of the said Articles, which having been warehoused or otherwise secured under the Authority of any Act of Parliament without Payment of Duty, which shall be taken out of any such Warehouse or Place wherein the same shall have been lodged or secured for the Purpose of being used or consumed in *Great Britain* after the said Thirty first Day of *December* One thousand eight hundred and eleven, or the said Thirty first Day of *December* One thousand eight hundred and ten, as the Case may apply to the said Articles, notwithstanding the same may have been imported into *Great Britain* on or before the said Days respectively.

III. And

III. And be it further enacted, That so much of the said additional Duties of Customs hereby imposed as fall under the Title and Description of temporary Duties, shall be paid and payable during the Continuance of the present War, and for Six Months after the Ratification of a Definitive Treaty of Peace.

Continuance of temporary Duties.

IV. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to charge any of the said Articles with the additional Duties hereby imposed which shall be imported directly from any *British* Colony, Plantation or Settlement in *Africa* or *America*, or which shall be imported by the United Company of Merchants of *England* trading to the *East Indies*; nor to charge with the additional Duties hereby imposed, any Deals above Seven Inches in Width, being Eight Feet in Length, and not above Ten Feet in Length, and not exceeding One Inch and a Half in Thickness, nor any Fir Timber being Eight Inches Square, and not exceeding Ten Inches Square, being the Growth of *Norway*, and imported directly from thence.

Proviso for Articles imported from certain Parts.

For Deals.

V. And be it further enacted, That the additional Duties hereby imposed upon the Importation of the said several Species of Wood shall and may be secured by Bond under the Regulations of an Act passed in the Forty third Year of the Reign of His said present Majesty, intituled, *An Act for permitting certain Goods imported into Great Britain to be secured in Warehouse without Payment of Duty.*

Duties secured by Bond.

43 G. 3. c. 132.

VI. And be it further enacted, That such of the said Duties as shall arise in that Part of *Great Britain* called *England* shall be under the Management of the Commissioners of the Customs in *England* for the time being, and such thereof as shall arise in that Part of *Great Britain* called *Scotland* shall be under the Management of the Commissioners of the Customs in *Scotland* for the time being.

Duties under Commissioners of Customs.

VII. And be it further enacted, That the said Duties shall be managed, ascertained, raised, levied, collected, paid, recovered, appropriated and applied, and the said Drawbacks shall be allowed, in such and the like manner as any Duties and Drawbacks of Customs of a like Nature are managed, ascertained, raised, levied, collected, paid, recovered, appropriated and allowed, and under and subject to the several Powers, Conditions, Rules, Regulations, Restrictions, Penalties and Forfeitures now in force, in relation to or made for securing the Revenue of Customs in *Great Britain*; and all Pains, Penalties, Fines or Forfeitures, for any Offence whatever committed against or in breach of any Act or Acts of Parliament in force on or immediately before the passing of this Act, made for securing the Revenue of Customs, or for the Regulation or Improvement thereof, and the several Clauses, Powers and Directions therein contained, shall be in full Force and Effect as to the said Duties and Drawbacks as fully and effectually to all Intents and Purposes as if they were at large repeated and re-enacted in this Act.

How Duties and Drawbacks levied and allowed.

VIII. And be it further enacted, That all Monies from time to time arising from the said Duties, the necessary Charges of raising and accounting for the same respectively excepted, shall from time to time be paid into the Receipt of His Majesty's Exchequer at *Westminster*, and shall be appropriated and applied in the same manner as the Duties imposed by the said recited Act of the Forty ninth Year of

Duties appropriated as under 49 G. 3. c. 98.

of

of the Reign of His present Majesty are directed to be appropriated and applied.

Proviso for Contracts already made.

IX. And whereas Contracts may have been made for the Sale of Wood, prior to the passing of this Act: Be it therefore enacted, That in all Cases where any Wood whereon the respective Duties by this Act imposed shall be charged, shall be delivered in pursuance of such Contracts or Sales, it shall be lawful for the Dealer or Dealers in such Wood delivering the same, to charge so much Money as shall be equivalent to the Duties by this Act imposed in respect thereof, in addition to the Price of such Wood, and such Dealer or Dealers shall be entitled by virtue of this Act to demand and be paid the same accordingly.

Altered, &c.

X. And be it further enacted, That this Act may be altered, varied or repealed, during the present Session of Parliament.

C A P. LXXVIII.

An Act to repeal an Act made in the Forty seventh Year of His present Majesty, for suppressing Insurrection, and preventing the Disturbances of the Publick Peace in *Ireland*.

[15th June 1810.]

47 G. 3. Sess. 2. c. 13.

repealed.

‘ WHEREAS an Act was made in the Forty seventh Year of His present Majesty’s Reign, intituled, *An Act to suppress Insurrections, and prevent the Disturbance of the Public Peace in Ireland*: And whereas it is expedient that the said Act should be repealed;’ Be it therefore enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and immediately after the passing of this Act, the said recited Act of the Forty seventh Year aforesaid shall be and the same is hereby repealed, except only so far as relates to any Proceedings had under the said Act at any time before the passing of this present Act.

C A P. LXXIX.

An Act for regulating the Continuance of Licences for distilling Spirits from Sugar in the Lowlands of *Scotland*.

[15th June 1810.]

48 G. 3. c. 119.

Licences granted between Dec. 1, 1808, and Dec. 1, following.

‘ WHEREAS Doubts have arisen whether, under and by virtue of an Act passed in the Forty eighth Year of His present Majesty’s Reign, Licences granted for Distillation from Sugar, at whatever Period of the Year the same were granted, should not be held to refer to and be in force from the Tenth Day of *November*, immediately preceding the Date of such Licences respectively; And whereas it is expedient that all Licences for Distillation from Sugar should take effect from a certain Day in each Year, and remain and be in force for and during a fixed Period of Time;’ Be it therefore enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That each and every Licence granted or to be granted for the Purpose aforesaid, between the

the First Day of *December* One thousand eight hundred and eight, and the First Day of *December* next ensuing, shall be deemed and construed to have taken effect, and shall take effect from the Day of the Date of such Licence or Licences respectively, and the same shall enure and be in force from the Date thereof, until the said First Day of *December* next ensuing; any thing in the said Licences contained to the contrary notwithstanding.

II. And be it further enacted, That from and after the said First Day of *December* next ensuing, every Licence to be granted to any Distiller or Distillers in the Lowlands of *Scotland*, for the making or distilling of Spirits from Sugar for Home Consumption, shall commence and take effect from the First Day of *December* in each Year, and shall be and remain in Force and Effect for and during any Period of Time, in which, by or under the Authority of any Act or Acts of Parliament, passed or to be passed, the Distillation of Spirits from Corn or Grain in *Great Britain* shall be prohibited, not exceeding the Space of One Year from every such First Day of *December*: Provided always, that it shall and may be lawful to and for any licensed Distiller or Distillers in the Lowlands of *Scotland* to deliver up to the Commissioners of Excise, or to the proper Supervisor or Surveyor of the District, his or their Licence to be vacated or altered, on the Terms and Conditions, and at the time, and in such manner as immediately before the passing of an Act of the Forty eighth Year of the Reign of His present Majesty, intituled, *An Act to prohibit the Distillation of Spirits from Corn or Grain for a limited Time*, were by any Act or Acts of Parliament then in force directed, for vacating or altering Licences granted for the making or distilling of Spirits from Corn or Grain for Home Consumption in the said Lowlands; any thing herein or in any other Act or Acts of Parliament contained to the contrary notwithstanding.

Licences to distil
Spirits from
Sugar in the
Lowlands.

48 G. 3. c. 118.

C A P. LXXX.

An Act for reviving and further continuing until the Twenty fifth Day of *March* One thousand eight hundred and eleven, several Laws for allowing the Importation of certain Fish from *Newfoundland* and the Coast of *Labrador*, and of certain Fish from Parts of the Coast of His Majesty's *North American Colonies*, and for granting Bounties thereon.

[15th June 1810.]

- “ 47 G. 3. Sess. 1. c. 24. (continued 48 G. 3. c. 20. § 3.) revived
- “ and continued till *March* 25, 1811.—§ 1. 49 G. 3. c. 26. revived
- “ and continued till *March* 25, 1811.—§ 2.

C A P. LXXXI.

An Act to continue until the First Day of *August* One thousand eight hundred and eleven, certain Acts for appointing Commissioners to enquire into the Fees, Gratuities, Perquisites and Emoluments received in several Publick Offices in *Ireland*, to examine into any Abuses which may exist in the same, and into the Mode of receiving, collecting, issuing and accounting for Publick Money in *Ireland*.

[15th June 1810.]

44 G. 3. c. 106.

45 G. 3. c. 65.

47 G. 3. Sess. 1.
c. 41. 49 G. 3.
c. 51.

‘ WHEREAS an Act was made in the Forty fourth Year of His present Majesty’s Reign, intituled, *An Act for appointing, until the Fifth Day of August One thousand eight hundred and five, Commissioners to enquire into the Fees, Gratuities, Perquisites and Emoluments, which are or have been lately received in the several Publick Offices in Ireland therein mentioned; to examine into any Abuses which may exist in the same: and into the present Mode of receiving, collecting, issuing and accounting for Publick Money in Ireland; and the said recited Act has by certain Acts, made in the Forty fifth, Forty seventh and Forty ninth Years of His present Majesty’s Reign been continued with Amendments, until the First Day of August One thousand eight hundred and ten: And whereas it is expedient that the said recited Act of the Forty fourth Year, as amended by the said other recited Acts, should be continued in manner hereinafter mentioned;’ Be it therefore enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act of the Forty fourth Year aforesaid, as amended by the said other recited Acts, shall be and the said Acts are hereby further continued until and upon the First Day of *August* One thousand eight hundred and eleven.*

Treasury of Ireland may issue 2,000l. for Payment of Clerks, &c.

II. And be it further enacted, That it shall and may be lawful for the Lords Commissioners of His Majesty’s Treasury in *Ireland*, or the Lord High Treasurer of *Ireland* for the time being, and they are hereby authorized and required to issue, and cause to be issued over and above the Sums mentioned in the said recited Acts of the Forty fourth, Forty seventh and Forty ninth Years aforesaid, a further Sum of Money not exceeding Two thousand Pounds, to such Person or Persons as the Commissioners under the said recited Acts, or any Three or more of them, shall, by Writing under their Hands, desire or direct, out of any Part of the Publick Monies remaining in His Majesty’s Exchequer in *Ireland*; which Sums so issued and paid shall be employed for the Payment of Clerks, Messengers, and other Officers, and in defraying all other necessary Charges in or about the Execution of the Powers of the said recited Act, and this Act, and in such manner and in such Proportions as shall be appointed by the said Commissioners, or any Three or more of them, by Writing under their Hands and Seals in that Behalf, and that such Sums shall be accounted for by the Person or Persons to whom the same shall be issued or paid according to the Course of His Majesty’s Exchequer of *Ireland*, without any Fees or other Charges to be taken or demanded for

for the issuing or Payment of the same on the passing of the said Accounts, other than such Sum as the said Commissioners, or any Three or more of them, shall appoint.

C A P. LXXXII.

An Act to amend the Laws relative to the Sale of Flax Seed and Hemp Seed in *Ireland*. [15th June 1810.]

FOR the Prevention of fraudulent Practices in respect of Flax Seed and Hemp Seed sold in *Ireland* for sowing; Be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Action or Suit shall be brought in *Ireland*, whereby to charge any Person to answer Damages for having, at any time after the passing of this Act, sold unsound, mixed, bad or damaged Flax Seed or Hemp Seed, or Flax Seed or Hemp Seed unfit for sowing, unless the Warranty on which such Action shall be brought, or some Memorandum or Note thereof, shall be in Writing signed by the Party to be charged therewith, or by some other Person thereunto by him lawfully authorized; any Law, Statute or Usage to the contrary notwithstanding: Provided always, that nothing in this Act contained shall extend to any Action or Suit relating to any Flax Seed or Hemp Seed sold in any smaller Quantity than Two Bushels.

Conditions on which Actions for selling unsound Flax Seed, &c. to be brought.

C A P. LXXXIII.

An Act to repeal several Acts respecting the Woollen Manufacture, and for indemnifying Persons liable to any Penalty for having acted contrary thereto. [15th June 1810.]

WHEREAS certain Acts heretofore made for regulating and controlling the Manufacturer in the making, selling and exporting of Woollen Cloth, which, from a Change of Circumstances, are become inexpedient, and if enforced would be injurious to the Parties; Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act made in the First Year of the Reign of His Majesty King *Richard the Third*, intituled, *The Length and breadth of Cloths, and the Order of dying them and Wools, the Ability of the Aulneger, and what Cloths he may seal (a)*; an Act passed in the Fifth Year of the Reign of His Majesty King *Henry the Eighth*, intituled, *An Act that White Wool and Cloths of Five Marks and under may be carried over the Sea unshorn*; an Act passed in the Twenty seventh Year of the Reign of His said Majesty King *Henry the Eighth*, intituled, *For Cloths Whites of iv li. and not above, and coloured Cloths of iii li. and not above, to be carried over the Sea unshorn and unshorn*; an Act made in the Thirty third Year of the Reign of His said Majesty King *Henry the Eighth*, intituled, *An Exposition of a certain Statute concerning the shipping of Cloths*, shall be and the same are hereby repealed; and every Person liable to any Forfeiture,

1 R. 3. c. 8.

5 H. 8. c. 3.

27 H. 8. c. 18.

33 H. 8. c. 19.

repealed.

(a) [Repealed, 49 G. 3. c. 109. § 1.]

50 Geo. III.

P

Penalty

Penalty or Punishment for any thing done contrary to any of the Provisions in any of the said Acts, is hereby indemnified from the same.

C A P. LXXXIV.

An Act for augmenting Parochial Stipends, in certain Cases in Scotland. [15th June 1816.]

Scotch Acts.

‘ WHEREAS by an Act of the Parliament of Scotland, made in the Year One thousand six hundred and thirty three, intituled, *Anent the Rate and Price of Teinds*; and by another Act of the Parliament of Scotland, made in the same Year One thousand six hundred and thirty three, intituled, *Commission for Valuation of Teinds not valued, rectifying the Valuations of the same already made, and other Particulars therein contained*, it was statuted, ordained and declared, that all Heritors and Life-renters of Lands in Scotland should be entitled to have the Teinds or Tithes of their Lands valued at certain fixed Rates, to be paid for the same in all time to come; And whereas in many Parishes in Scotland where the Stipends of the Parochial Ministers are payable out of the Teinds or Tithes in consequence of the Depreciation of the Value of Money, the Stipends of such Parochial Ministers have become inadequate to their Support and Maintenance, and on account of the Valuations of Teinds which have taken Place, no Funds exist out of which future Augmentations of such Stipends can be granted: And whereas in several Parishes where the Stipends of the Parochial Ministers are payable out of Funds and Revenues separate and distinct from the Teinds, such Stipends have also become inadequate to the Support and Maintenance of the Ministers thereof; and no Funds exist out of which such Stipends can be augmented: And whereas it is expedient that means should be provided for augmenting the Stipends of each of such Ministers as aforesaid, to a yearly Amount or Value of One hundred and Fifty Pounds Sterling, and it appears that an annual Sum not exceeding Ten thousand Pounds Sterling will be sufficient to carry these Purposes into Effect:’ May it therefore please Your Majesty that it may be enacted; and be it enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, there shall in every Year be set apart and appropriated in the Hands of His Majesty’s Receiver General and Paymaster in Scotland, out of the Publick Revenues and Money received and collected by him, an annual Sum, not exceeding in the whole the Sum of Ten thousand Pounds of lawful Money of Great Britain, to answer the Purposes of this Act, to be applied in manner hereinafter mentioned.

20,000l. yearly set apart in the Hands of Receiver General in Scotland.

Clerks of Presbyteries to make up Accounts of Parishes under 250l.

II. And be it further enacted, That as soon as conveniently may be after the passing of this Act, the Clerks to the different Presbyteries within Scotland, shall make up Accounts of the different Parishes within each Presbytery, the Stipends of which Parishes do not extend in their yearly Amount or Value to the Sum of One hundred and fifty Pounds Sterling, and which cannot be augmented to that Extent under the Laws at present in force, either by reason of the Teinds of such Parishes being already exhausted, or for other want of

of Funds out of which such Augmentations could be made, or where, from the small Amount or Value of the unexhausted Teinds it has been deemed inexpedient to bring Actions of Augmentation; which Accounts shall specify the Amount of each such Stipend in Money, Grain, or other Articles in which the same is payable, and the Rate at which such Grain or other Articles, if not in use to be paid in Kind are convertible into Money, and if in use to be paid in Kind, the Value thereof on an Average of the last Nine Years preceding the passing of this Act, and the Period when such Stipend was last augmented, and if any unexhausted Teind remains, specifying the Amount or Value thereof as far as the same can be ascertained, and the said Accounts shall be transmitted to the Teind Clerk or principal Clerk to the Lords of Council and Session, as Commissioners for Plantation of Kirks and Valuation of Teinds appointed by an Act of the Parliament of *Scotland* in One thousand seven hundred and seven.

Particulars of
Stipends
specified.

Scotch Act.

III. And be it enacted, That when and as soon as the Accounts shall be received from the Clerks to the different Presbyteries in manner before mentioned, the same shall, upon the Application of any of the Ministers interested, or of the Procurator for the Church on Behalf of the whole, be taken into Consideration by the Lords of Council and Session as Commissioners as aforesaid, and a List or Schedule shall thereupon be made up under their Direction and Authority, of all such Stipends which from the Causes aforesaid cannot be augmented to the annual Amount or Value of One hundred and fifty Pounds, under the Laws at present in force, specifying the Amount of each Stipend in Money, Grain, or other Articles in which the same is payable, and the Rate at which such Grain and other Articles, if not in use to be paid in Kind, are convertible into Money, or if in use to be paid in Kind, the Value thereof on an Average of the last Nine Years preceding the passing of this Act, and of the Sums necessary to augment each such Stipend, including its present annual Amount or Value to the annual Amount or Value of One hundred and fifty Pounds Sterling: Provided that the said Augmentations shall not exceed in the whole the annual Sum of Ten thousand Pounds Sterling; and in such List or Schedule it shall and may be lawful to the said Lords of Council and Session as Commissioners aforesaid, to specify those Cases in which in their Opinion the Teinds should be fully exhausted before any Relief or Augmentation should be granted under the Authority of this Act.

Lords of Session
to take into Con-
sideration List of
Stipends and
Augmentations
to 150l.

Proviso:

IV. Provided always, and be it enacted, That it shall and may be lawful in those Cases where the present Stipend does not amount to One hundred and fifty Pounds, and where the unexhausted Teinds will not be sufficient to augment it to an Amount beyond One hundred and fifty Pounds, and where the Commissioners are of Opinion that the Teinds should be in the first Instance exhausted for each Minister whose Case shall be so specified as aforesaid, forthwith to institute a Process of Modification and Augmentation for obtaining the Remainder of such unexhausted Teinds; and that it shall be lawful for the said Lords of Council and Session as Commissioners aforesaid, to award to him the Whole of such unexhausted Teinds as soon as the Course of such Process shall admit, any thing in an Act passed in the Forty eighth Year of His present Majesty's Reign, intituled, *An Act for defining and regulating the Powers of the Commission of Teinds, in*

Process of Modi-
fication for ob-
taining unex-
hausted Teinds

48 G. 3. c. 138.

augmenting

augmenting and modifying the Stipends of the Clergy of Scotland, or in any other Act or Acts, to the contrary contained in any wise notwithstanding.

List of Stipends
sent to each
Minister, &c.

V. And be it enacted, That the List or Schedule so to be made up as aforesaid, shall, under the Directions of the said Lords of Council and Session as Commissioners aforesaid, be forthwith printed, and a Copy thereof shall be sent by their Clerk to each Minister whose Stipend shall have been included in the Accounts transmitted from the Presbyteries to the said Teind Clerk, or Principal Clerk of the said Lords of Council and Session, as Commissioners aforesaid, in manner before mentioned, and a Copy to the Clerk of each Presbytery within *Scotland*, who shall thereupon give Notice to each Minister of the Presbytery of the Receipt of such printed Copy of the aforesaid List or Schedule.

In what case
Ministers may
apply to Presby-
teries.

VI. And be it enacted, That it shall and may be lawful to and for every Minister of the Presbytery whose Stipend shall not be specified in the said List or Schedule, but whose Stipend should in virtue of this Act have been so specified therein, to make a Representation to the Presbytery of the Bounds, shewing why his Stipend should be so specified, and for every Minister whose Stipend shall be specified in the said List or Schedule to present Objections thereto, if he shall see cause, to such Presbytery of the Bounds; and it shall be lawful to each Presbytery, and such Presbytery is hereby required to take such Representations and Objections into Consideration, and to report their Opinion upon such List or Schedule as the same may appear to them, to the said Lords of Council and Session, as Commissioners aforesaid: Provided always, that such Report shall be made by each Presbytery, and transmitted by the Clerk of such Presbytery to the Teind Clerk, or Principal Clerk of the said Lords of Council and Session, as Commissioners aforesaid, within Six Calendar Months next after the said List or Schedule shall have been received by the Clerk of such Presbytery.

Presbyteries to
report thereon.

Ministers may
petition Com-
missioners of
Teinds.

VII. And be it enacted, That if any Minister shall think himself aggrieved by any Report made by or Proceedings of any Presbytery in the Matters aforesaid, it shall and may be lawful to such Minister to present his Petition to the said Lords of Council and Session as Commissioners aforesaid, stating the Grounds of his Objection or Complaint in the Premises; and the said Lords of Council and Session, as Commissioners aforesaid, shall order such Petition to be taken into Consideration in a summary way, and direct the same to be answered, or otherwise; and shall determine in the Matter of such Objection or Complaint as early as the Circumstances of the Case will permit; and such Determination shall be final and conclusive, and not subject to any Appeal to the House of Lords.

List of Stipends
recorded.
Certified Copy of
recorded List
sent to Barons
of the
Exchequer.

VIII. And be it enacted, That the said Lords of Council and Session, as Commissioners aforesaid, shall, with all convenient Dispatch after such Reports shall have been received from the Presbyteries as aforesaid, take the same with the Determination that may have been given on any Petition as aforesaid, and the List or Schedule formerly prepared by them into Consideration, and shall confirm the said List or Schedule, or make such Alterations thereon as to them shall seem just and expedient, and shall adjust and settle the same, and after it shall have been so adjusted and settled shall order the same to be recorded in their Books.

IX. And

IX. And be it enacted, That the said Teind Clerk or Clerk to the Lords of Council and Session, as Commissioners aforesaid, shall forthwith make out an Extract or certified Copy of the said recorded List or Schedule, and transmit the same to the Barons of His Majesty's Exchequer in *Scotland*, who shall appoint the same to be also forthwith recorded in their Books; and shall thereupon issue a Precept or Warrant, addressed to His Majesty's said Receiver General and Paymaster in *Scotland*, to each of the Ministers of the respective Parishes mentioned in such List or Schedule for Payment to such Minister, of the annual Sum, which according to such List or Schedule is necessary for augmenting his Stipend to the annual Amount or Value of One hundred and fifty Pounds, to be paid to him at the Terms or Times hereinafter directed during his Incumbency in the Parish mentioned in such Precept or Warrant, and shall cause such Precept or Warrant to be transmitted to the Minister therein mentioned.

Precepts to Ministers for Payment of Sums necessary.

X. And be it enacted, That as soon as the said Lords of Council and Session as Commissioners aforesaid, shall have decided in any Process or Processes for obtaining the Remainder of any unexhausted Teinds in manner hereinbefore directed, and shall thereupon, or upon any other Ground, have determined with respect to the Stipend or Stipends of any Minister or Ministers which ought to be augmented under the Authority of this Act, and shall have ascertained the Sum necessary for augmenting each such Stipend to the annual Amount or Value of One hundred and fifty Pounds, the said Lords of Council and Session as Commissioners aforesaid shall cause a List or Schedule of such Stipend or Stipends to be made out in manner as hereinbefore directed, specifying the Sum necessary for augmenting each such Stipend to the annual Sum of One hundred and fifty Pounds; and such List or Schedule shall be recorded in the Books of the Teind Court, and an Extract or certified Copy thereof shall be made out in manner hereinbefore directed, and shall be transmitted to the Barons of Exchequer, who shall cause the same to be also recorded in their Books, and shall issue their Precept or Warrant, addressed to His Majesty's said Receiver General and Paymaster in *Scotland*, to each of the Ministers of the respective Parishes mentioned in such List or Schedule, for Payment to such Minister of the annual Sum which according to such List or Schedule is necessary for augmenting his Stipend to the annual Amount or Value of One hundred and fifty Pounds, to be paid to him at the Terms or Times hereinafter directed, during his Incumbency, in the Parish mentioned in such Precept or Warrant, and shall cause such Precept or Warrant to be transmitted to the Minister therein mentioned.

In what case Commissioners to prepare Lists, order them to be recorded, &c.

Warrants for Payment, &c.

XI. And be it enacted, That the Augmentations by this Act granted out of the Fund before mentioned shall be payable by Two Half-yearly Payments at the Terms of *Whitsunday* and *Michaelmas* in each Year; and the First Half-yearly Payment thereof shall be due and payable for the Half-year immediately preceding the Term of *Whitsunday* last; and the same shall be so expressed in the Precepts or Warrants to be issued by the Barons of Exchequer in manner hereinbefore directed; and at the First Term of *Whitsunday* or *Michaelmas* after the passing of this Act, or as soon thereafter as the Amount of the respective Augmentations shall be fixed and settled, the said Receiver General and Paymaster shall be and is hereby required

Augmentations to be paid half-yearly by Receiver General.

quired to pay to the Minister mentioned in such Precept or Warrant as hereinbefore directed to be issued, or to any Person or Persons duly authorized to that Effect by such Minister, the Half-yearly Payments that may be due and payable to such Minister at the time, subject to Deduction for the First Year, in manner hereinafter mentioned; and at every subsequent Term of *Whitsunday* or *Michaelmas* thereafter, the said Receiver General and Paymaster shall be and is hereby required to pay to such Minister, or Person or Persons authorized as aforesaid, the Half-yearly Payment or Payments that may be due to such Minister at the time.

Out of first
Year's Aug-
mentation 1s.
in the Pound to
be retained,

XII. And be it enacted, That out of the First Year's Augmentation granted to such Ministers as aforesaid, and payable by virtue of this Act, the said Receiver General and Paymaster shall be and he is hereby authorized and required to deduct and retain the Sum of One Shilling in the Pound Sterling, of the Sum payable to each of such Ministers as aforesaid, to be applied in manner hereinafter directed; but such Deduction shall be made only from the Augmentation payable for the First Year under this Act, and no such Deduction shall be made from the Augmentation payable for any subsequent Year.

to be applied in
paying Ex-
pences incurred,
&c.

XIII. And be it enacted, That the said Lords of Council and Session as Commissioners aforesaid, shall cause to be made up an Account of the Expences incurred, and of the Recompence to be made to the Persons employed under the Authority of this Act, for their Labour and Trouble in the Matters aforesaid, and shall specify in such Account the Persons to whom such Expences and Recompence shall be paid, and the Sum payable to each Person, not exceeding in the Whole the Amount of the Deduction of One Shilling in the Pound, to be retained by the said Receiver General and Paymaster in manner before mentioned, and shall certify the same to the said Barons of Exchequer; and the said Barons of Exchequer shall from time to time issue their Warrants upon the said Receiver General and Paymaster, for Payment to the Persons specified in such Account, or to their Order, of the several Sums of Money therein specified.

In cases of
Death or Re-
moval, how Suc-
cessors shall act
for obtaining
Stipend, &c.

† *Sic*:

XIV. And be it further enacted, That when the Minister of any Church or Parish whose Stipend shall have been specified in any List or Schedule hereinbefore directed to be prepared by the said Lords of Council and Session, as Commissioners aforesaid, shall die or be removed from the Charge of his Church or Parish, his Successor in such Church or Parish, if no Precept or Warrant had been granted to his Predecessor, shall be entitled to take all such Steps in regard to the obtaining of such Precept or Warrant as would have been competent to his Predecessor, but shall be as† he is hereby bound and obliged to account for and pay to his Predecessor, or to the Executors or personal Representatives of his Predecessor, whatever Part of the Augmentation granted under the Authority of this Act shall be due to such Predecessor, or to the Executors or personal Representatives of such Predecessor respectively; and if such Precept or Warrant had previously been granted, the Minister succeeding to such Church or Parish shall be entitled to apply to the said Barons of Exchequer to be put in the Place and Stead of the Minister so dying or being removed as aforesaid, with respect to future Payments under this Act, in the manner hereinafter mentioned; and the said Barons of Exchequer upon being satisfied that the Minister so applying has succeeded to the Church or Parish of the Minister so dying or being removed

removed as aforesaid, shall forthwith issue a Precept or Warrant to the said Receiver General and Paymaster in favour of the Minister so applying for Payment to him of the Sums which were payable to the former Minister of such Church or Parish at the Terms or Times hereinbefore directed, during his Incumbency in the Church or Parish mentioned in such Precept or Warrant, and shall cause such Precept or Warrant to be transmitted to the Minister therein mentioned; and the Sums therein mentioned shall be payable and be paid upon such Precept or Warrant by the said Receiver General and Paymaster to the Minister mentioned therein, or to any Person or Persons duly authorized to that Effect, at the Term or Terms, and in manner hereinbefore directed; and so on, as often as the Case shall happen, with respect to all the Ministers who shall succeed to any Church or Parish, the Stipend of which shall be inserted in any such List or Schedule as aforesaid.

XV. Provided always, and be it enacted, That the Rights and Interests of the respective Ministers who may be entitled to the Augmentations to be granted under the Authority of this Act, shall, in case of their Decease or Removal, cease and determine at the same Terms of *Whitsunday* or *Michaelmas*, and in the same manner, as the Rights and Interests of the Clergy of *Scotland* in their other Stipends cease and determine by the Law of *Scotland*; and that in like manner the Rights and Interests of their Successors to the said Augmentations to be granted under the Authority of this Act, shall commence at the Terms of *Whitsunday* or *Michaelmas* immediately preceding their Admission to their respective Churches or Parishes, in the same manner as the Rights and Interests of the Clergy of *Scotland* to their other Stipends, do commence by the Law of *Scotland*.

How and in what case, Rights of Ministers to Augmentations to cease.

XVI. Provided also, and be it enacted, That the Executors or personal Representatives of the Ministers deceasing, whose Stipends shall be augmented under the Authority of this Act, and the Executors or personal Representatives of their Successors, shall be entitled to draw One Half-yearly Moiety of the Augmentations to be granted under the Authority of this Act, in Name of *Ann*, over and above the Stipends that may have been due to the Ministers deceasing, in the same manner as is directed by the Law of *Scotland* with respect to the other Stipends of the Clergy of *Scotland*; and the Barons of His Majesty's Exchequer shall grant Precepts or Warrants to His Majesty's said Receiver General and Paymaster, for Payment of the said Half-yearly Moiety in Name of *Ann*, to those having Right thereto by the Law of *Scotland*, upon their Receipt, and this without the Necessity of any Confirmation or other Title to be made up in that Behalf.

Executors may draw for One Half-yearly Moiety of Augmentation, beyond what may be due.

XVII. And be it enacted, That when the Pastoral Charge in any of the Churches or Parishes the Stipends of which shall be augmented as hereinbefore mentioned, shall at any time hereafter become vacant, the several Sums hereinbefore directed to be appropriated for augmenting such Stipends respectively, shall not during any such Vacancy (excepting only with regard to the Half-yearly Moiety in Name of *Ann*, directed to be paid as hereinbefore specified), be applicable to the Purposes to which vacant Stipends in *Scotland* are at present by Law applicable; nor shall they in any such case be subject as vacant Stipends are to the Disposal of the Patrons of such vacant Parishes, or of the Barons of His Majesty's Exchequer in Parishes of which

Augmentations not paid during Vacancies,

His Majesty is Patron, or of the Synods of *Argyll* or *Glenelg*, which have or claim to have a Right by Law to dispose of the vacant Stipends within their Bounds.

but to be applied
to Fund for
Provision of
Widows and
Children of
Clergymen,
49 G. 3. c. 20.

XVIII. And be it further enacted, That in the Event of every Vacancy occurring in the Parishes in which the Parochial Stipends shall have been augmented under the Authority of this Act, the annual Sums hereinbefore directed to be appropriated for augmenting the Stipends hereinbefore mentioned, shall, after Payment of the *Ann* in manner before directed, during any Vacancy in any of the said Churches or Parishes, be payable and be paid to the Trustees appointed by the Act of the Nineteenth Year of the Reign of His present Majesty, intituled, *An Act for the better raising and securing a Fund for a Provision for the Widows and Children of the Ministers of the Church of Scotland, and of the Heads, Principals and Masters in the Universities of Saint Andrew's, Glasgow, Edinburgh and Aberdeen; and for repealing Two Acts made in the Seventeenth and Twenty second Years of the Reign of His late Majesty King George the Second, for those Purposes*, or to their General Collector, to be applied by the said Trustees in the way they shall judge most expedient and effectual for securing a permanent Addition to the Annuities provided to the Widows therein mentioned, in all time coming.

The Barons of
Exchequer to
Issue Precept for
Payment to
Trustees of
Fund,

XIX. And be it enacted, That when any such Vacancy shall occur, the said Barons of Exchequer shall, upon the Application of the said Trustees or their General Collector, issue their Precept or Warrant to the said Receiver General and Paymaster, for Payment to the said Trustees or their General Collector, as aforesaid, of the whole Amount of the Sums directed to be appropriated under the Authority of this Act in Augmentation of the Stipend of the said vacant Church or Parish, at the same Term or Terms at which vacant Stipends are at present by the Law of *Scotland* payable to Patrons and others having Interest therein.

who may lend
out the Money
at Interest.

XX. And be it further enacted, That it shall and may be lawful to and for the said General Collector, under the Authority and by the Directions of the said Trustees, and according to such Regulations as they shall judge expedient, to lend out at Interest, on sufficient Security, the several Sums hereby appointed to be paid to the said Trustees or their General Collector by the said Receiver General and Paymaster as aforesaid, from time to time, for the Purpose of providing a permanent Fund, in addition to the Annuities before mentioned, established under the Authority of the said recited Act of the Nineteenth Year of the Reign of His present Majesty.

Payments
allowed to Re-
ceiver General.

XXI. And be it enacted, That all Payments to be made by the said Receiver General and Paymaster, of the several Sums of Money hereinbefore directed to be paid by him to the several Persons and for the several Purposes hereinbefore mentioned, upon the Receipts of those legally entitled or authorized to receive the same, shall be allowed in his Accounts,

Precepts, &c.
exempt from
Stamp Duty.

XXII. And be it enacted, That the several Precepts or Warrants to be issued in manner before mentioned, and the Receipts to be granted for the Sums of Money payable as hereinbefore directed, shall not be liable to any Stamp Duty.

Forging
Precepts, &c.

XXIII. And be it enacted, That if any Person or Persons shall forge or counterfeit, or cause or procure to be forged or counterfeited,
any

any such Precept or Warrant, or Precepts or Warrants as aforesaid, or any Signature or Signatures thereto, or any written Factory or Mandate, for receiving any Sum or Sums of Money made payable under the Authority of this Act, or any Signature or Signatures thereto, or any Receipt or Receipts granted on Payment of such Sums of Money as aforesaid, or Signature or Signatures thereto, and shall issue the same with an Intent to defraud the said Receiver General and Paymaster or his Successors in Office, or any Person or Persons entitled to any Sum or Sums of Money payable under the Authority of this Act, then every Person so offending and being thereof lawfully convicted, shall be punished as Persons guilty of the Crime of Forgery are liable to be punished by the Law of *Scotland*. Punishment.

XXIV. And be it enacted, That no Fees or Expences whatsoever shall be charged by or paid to any Clerks or Officers of the said Lords of Council and Session as Commissioners aforesaid, or of the said Barons of Exchequer, or the said Receiver General and Paymaster, or any Clerk or Officer employed by or under him, save and except the Expences and Recompence for the First Year, to be ascertained in the Account of the same, to be made up and paid in manner before directed. Fees.

XXV. And be it enacted, That the said Lords of Council and Session as Commissioners aforesaid, and the said Barons of Exchequer, shall and may from time to time give such Directions for the Regulation of their respective Clerks and Officers employed, or that may be employed to carry this Act into Execution, where special Directions are not hereby given relative to the same, as to the said Lords of Council and Session as Commissioners aforesaid, and to the Barons of Exchequer shall seem fit and expedient. Commissioners of Tolls, &c. may give Directions for Regulation of Clerks.

C A P. LXXXV.

An Act to regulate the taking of Securities in all Offices, in respect of which Security ought to be given; and for avoiding the Grant of all such Offices, in the Event of such Security not being given within a Time to be limited after the Grant of such Office. [15th June 1810.]

‘ **W**HEREAS it is highly expedient that Provision should be made, for preventing any Negligence, Omission or Irregularity, in the giving of due Securities by all Persons employed in Situations of Publick Trust, and concerned in the Receipt and Distribution or Expenditure of Publick Money, who are required to give Security to account for Publick Monies coming to their Hands; and for ascertaining the Death of any Surety or Sureties of any such Person;’ Be it therefore enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Person who shall, after the passing of this Act, be appointed to any Office or Employment, or Commission, Civil or Military, in any Publick Department belonging to that Part of the United Kingdom called *England*, or to any such Office or Employment of Publick Trust under the Crown, or wherein he shall be concerned in the Collection, Receipt, Disbursement or Expenditure of any Publick Monies, and who by reason thereof shall be required to give Security with Surety or Persons hereafter to be appointed to Offices of Publick Trust in England to give Security.

or Sureties or otherwise, shall, within One Month after Notice of such Appointment, if he shall then be in *England*, or within Two Months if he shall then be in *Scotland* or *Ireland*, or within Six Months if he shall then be in any other Part of *Europe* or in *America* or the *West Indies*, or within Nine Months if he shall then be in *Africa*, or within Eighteen Months if he shall then be in the *East Indies* or in any other Part of *Asia*, or within Ten Months if he shall then be on the High Seas, (unless he shall sooner arrive in *England* or *Wales*, or *Scotland* or *Ireland*, and then within Two Months after such Arrival) give, execute and enter into a Bond or Bonds or other Security or Securities, in such Sum, and with such sufficient Surety or Sureties as shall be approved of by the Lords Commissioners of the Treasury or any Three or more of them, or by the principal Officer or Officers or Person or Persons in the Office or Department to which he shall be appointed, for the due Performance of the Trust reposed in him, and for the duly accounting for all Publick Monies entrusted to him or placed under his Controul.

Persons already
appointed to give
Security.

II. And be it further enacted, That every Person who, before the passing of this Act, shall have been appointed to and shall hold any Office or Employment, or Commission Civil or Military, in any Publick Department belonging to that Part of the United Kingdom called *England*, or any such Office or Employment of Publick Trust under the Crown, or wherein he shall be concerned in the Collection, Receipt, Disbursement or Expenditure of Publick Monies, and who by reason thereof shall have been or shall be required to give Security with Surety or Sureties or otherwise, and who shall not before have given such Security, shall, within One Month after the passing of this Act, if such Person shall then be in *England* or *Wales*, within Two Months if he shall then be in *Scotland*, or within Three Months if he shall then be in *Ireland*, or within Six Months if he shall then be in any other Part of *Europe* or in the *West Indies* or *America*, or within Nine Months if he shall then be in *Africa*, or within Eighteen Months if he shall then be in the *East Indies* or in any other Part of *Asia*, or within Ten Months if he shall then be on the High Seas (unless he shall sooner arrive in *England*, *Wales* or *Scotland* or *Ireland*, and then within Two Months after such Arrival) give and execute and enter into a Bond or Bonds or other Security or Securities, in such Sum of Money and with such sufficient Surety or Sureties as shall be approved by the Lords Commissioners of the Treasury or any Three or more of them, or by the principal Officer or Officers of the Office or Department to which he belongs, for the due Performance of the Trust reposed in him, and for the duly accounting for all the Publick Monies entrusted to him or placed under his Controul.

Persons giving
Security to regis-
ter Memorial,

III. And be it further enacted, That every Person who, by reason of his Appointment to or holding of any Office or Employment or Commission Civil or Military, in any Publick Department in *England* or of Publick Trust under the Crown, or who, by reason of being concerned in the Collection, Receipt, Disbursement or Expenditure of any Publick Monies, shall, before the passing of this Act, have given or executed or entered into, or shall hereafter give or execute or enter into any Bond or Bonds or other Security or Securities for the due Performance of the Trust reposed in him, or for the duly accounting for Monies entrusted to him, shall cause a Memorial

memorial of such Bond or Bonds, or Security or Securities, to be registered with the Register of the County of *Middlesex* in manner hereinafter mentioned; and every such Memorial shall, as to all Bonds and Securities entered into before the passing of this Act, be registered, if the Person on whose Behalf the same shall have been entered into, shall reside or be in *Great Britain*, within Four Months after the passing of this Act, and if in *Ireland* within Three Months, and if in any other Part of *Europe* or in the *West Indies* or *America* within Twelve Months, and if in *Africa* within Fifteen Months, and if in the *East Indies* or in any other Part of *Asia* within Eighteen Months, and if on the High Seas within Twelve Months (unless he shall sooner arrive in *England* or *Wales*, *Scotland* or *Ireland*, and then within Four Months after such Arrival) respectively after the passing of this Act, and as to all such Bonds and Securities to be entered into after the passing of this Act, such Memorials shall be registered within the like Periods respectively after entering into the same, according to the Place or Country in which the Person appointed shall be at the time of giving, executing or entering into such Bond or other Security as aforesaid.

within various Times, according to Place of Residence.

IV. And be it further enacted, That every such Person required by this Act to register any such Memorials as aforesaid, shall produce or cause to be produced by his Agent or some Person acting on his Behalf, to the Officer or other Person with whom his Bond or Bonds or other Security or Securities shall have been or is to be deposited, a Memorial of such Bond or Bonds or other Security or Securities signed by himself, containing the Christian and Surnames, and Additions and Places of Abode of himself and of his Sureties, if any, and the several Sums in which they are respectively bound, together with the Date or respective Dates of the said Bond or Bonds, or other Security or Securities, and the Substance of the Condition or Conditions thereof; and the Officer or Person to whom such Memorial shall be so produced, if the same appears to him to be correct, shall sign and redeliver such Memorial to the Person producing the same.

Memorials to be produced.

To be signed and delivered to Party,

V. And be it further enacted, That every such Memorial, after the same shall have been so produced, signed and redelivered as aforesaid, shall, within the respective Periods hereinbefore limited for registering the same, be produced and left with the Register or Master of the Register Office for the County of *Middlesex*, established under an Act passed in the Seventh Year of the Reign of Her late Majesty Queen *Anne*, to be filed in the said Publick Register Office, together with an Affidavit sworn before some Person empowered by Law to administer an Oath, that such Memorial was duly signed by the Officer or Person with whom the Security was deposited.

and afterwards filed in the Register Office for *Middlesex*. 7 Ann. c. 20.

VI. And be it further enacted, That the said Register or Master shall make an Entry, and likewise, if required, shall give a Certificate in Writing under his Hand, testified by Two credible Witnesses, of every such Memorial brought to him to be registered as aforesaid, and therein shall mention the certain Day on which such Memorial shall be so registered or entered, expressing also in what Book, Page or Number the same is entered: And, for the Purpose of entering or registering Memorials under the Provisions of this Act as aforesaid, the Register or Master shall provide a separate Register Book, and every Page of such Register Book, and every Memorial that shall be entered therein, shall be numbered, and the Day of the Month and Year.

Certificate of Register to be given.

Year when every such Memorial is registered shall be entered in the Margin of the said Register Books and in the Margins of the said Memorials; and that every such Register or Master shall keep a separate Alphabetical Calendar of the Names of the Principals and Sureties mentioned in such Memorials, with References to the Book, Page or Number where the Memorials containing such Names are to be found; and such Register or Master shall duly file every such Memorial in Order of Time as the same shall be brought to the said Office, and enter and register the said Memorials in the same Order in which they shall respectively come to his Hands.

Neglecting to
give Security
and register
Memorials.

Penalty.

Proviso for
Acts done.

Penalty remitted.

Neglecting to
give Notice of
Death of
Sureties.

VII. Provided always, and be it further enacted, That if any Person who by reason of his Appointment to or holding of any such Office or Employment or Commission Civil or Military, in any Publick Department or of Publick Trust, or who by reason of being concerned in the Collection, Receipt, Disbursement or Expenditure of any Publick Money is required or bound to give any such Security, or register any such Memorial as aforesaid, shall neglect to give such Security and to cause such Memorial thereof to be duly registered in manner aforesaid, and within the Period specified in this Act, he shall forfeit and be deprived of the Appointment, Office, Employment or Commission, in respect whereof such Security ought to have been given and Memorial registered as aforesaid, and every such Appointment, Office, Employment or Commission, shall, from and after the Period specified in this Act for registering such Memorial be wholly void and of none Effect: Provided always, that such Avoidance shall not annul or make void any Act or Order, or other Matter or Thing, done by such Person during the time he actually held such Appointment, Office, Employment or Commission: Provided always, that no such Forfeiture shall take place by reason of any such Memorial not being registered under this Act, in which the proper Sureties shall have been given and Memorial made out, and where the Failure of Register shall have arisen from the Loss of such Memorial in the transmitting thereof from beyond the Seas; Provided that in every such Case a new Memorial specifying the Reason of such Delay, shall be made out and signed and registered within the like Period, after the Person giving such Security shall have received Notice of the Loss, regard being had to the Place where he shall then be, as is required by this Act for the Registry thereof if such Loss had not arisen: Provided also, that it shall be lawful for His Majesty to remit any such Forfeiture, in any Case in which any Failure of registering any such Memorial shall not have arisen from any Neglect or Omission of the Person bound to register the same.

VIII. And be it further enacted, That every such Person as aforesaid, who shall have given any Bond or Bonds, or other Security or Securities, with Surety or Sureties for the due Execution of the Trust reposed in him, or for the duly accounting for Publick Monies coming to his Hands, shall give Notice in Writing to One of the Secretaries of His Majesty's Treasury, or to the Head of the Office or Department to which he shall belong, of the Death of any Surety or Sureties or Person or Persons bound for or with him in any such Security or Securities, within One Calendar Month after the same shall have come to his Knowledge, if he shall reside or be in *Great Britain*, or within Four Months if in *Ireland*, or within Six Months if in any other Part of *Europe*, or in any Colony or Plantation in the
West

West Indies or *America*, or within Nine Months if in *Africa*, or within Twelve Months if in *India* or in any other Part of *Asia*, or within Ten Months if he shall be on the High Seas (unless he shall sooner arrive in *England*, *Wales*, *Scotland* or *Ireland*, and then within Two Months after such Arrival); and any Person who shall neglect to give such Notice within such Period as aforesaid shall forfeit One fourth Part of the Sum for which the Surety so dead shall have given Security, to the Use of His Majesty, to be recovered in any of the Courts at *Westminster*, by Action of Debt, Bill, Plaint or Information, at the Suit of His Majesty's Attorney General; and every such Person who shall upon the Death of any Surety neglect to give the Security of another Surety, to be approved in such manner as such Surety dying was approved, within such Period from his having Notice of such Death, and to register a Memorial of the Security of such new Surety within such Period from his having given the Security of such new Surety, as are herein respectively limited for giving and registering the original Security, the same Regard being had to the Place in which such Person may then be, shall forfeit his Appointment, Office, Employment or Commission, in like manner, and under and subject to such Provisions as aforesaid.

Penalty.

Neglecting to give fresh Security.

Penalty.

C A P. LXXXVI.

An Act to amend Two Acts passed in the Thirty ninth and Forty third Years of His present Majesty, for regulating the Manner in which the *East India Company* shall hire and take up Ships.

[15th June 1810.]

‘ WHEREAS by an Act of Parliament passed in the Thirty ninth Year of the Reign of His present Majesty, intituled, 39 G. 3. c. 89.
 ‘ *An Act for regulating the Manner in which the United Company of Merchants of England trading to the East Indies shall hire and take up Ships for their regular Service*; it is enacted, That from and § 1.
 ‘ after the passing of that Act, the said United Company or their Court of Directors should employ in their regular Service no Ships
 ‘ but such as should be contracted for to serve the said Company as they should have Occasion to employ them in Trade and Warfare,
 ‘ or any other Service, for Six Voyages to and from *India* or *China*,
 ‘ or elsewhere within the Limits of the said United Company's exclusive Trade, in manner in the said Act mentioned; which Act
 ‘ was explained and amended by an Act of Parliament passed in
 ‘ the Forty third Year of the Reign of His present Majesty: And 43 G. 3. c. 69.
 ‘ whereas it is expedient that the Court of Directors of the said United Company should be empowered to hire and take up for
 ‘ their regular Service, Ships already engaged or hereafter to be engaged in the Service of the said United Company, in the manner
 ‘ provided by either of the said Acts, for the further Service of the said United Company, and also that they should be empowered to
 ‘ take up by private Contract, Ships engaged in His Majesty's Transport or other Service, to carry Convicts, or Stores to *New South Wales*, the *Cape of Good Hope* or *Ceylon*, for the Purpose of
 ‘ bringing Home Cargoes from *China* or *India* for One Voyage only;’
 Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority

In what case Court
of Directors may
hire Vessels after
Voyages for addi-
tional Voyages.

Terms of Freight.

Proviso.

Hiring of Ships
employed in car-
rying Convicts
to New South
Wales.

thority of the same, That it shall and may be lawful to and for the Court of Directors of the said United Company, by Publick Advertisement, to hire and take up for the regular Service of the said United Company for such Number of Voyages to and from *India* or *China*, or elsewhere within the Limits of the exclusive Trade of the said United Company, as the said Court of Directors shall see fit, beyond and after the Performance of the Number of Voyages for which any such Ship or Vessel respectively have been or shall be contracted to serve the said Company, Provided that such Ship or Ships shall be fit or can be repaired and made fit to serve the said Company for such additional Voyage or Voyages: Provided always, that the Freight to be paid for any such Ship or Ships to be taken up for any additional Voyage or Voyages, to be performed after the Expiration of the Number of Voyages for which such Ship or Ships respectively shall have been contracted for to serve the said Company, shall not exceed the Rate of Freight paid for such Ships respectively under the last Contracts respectively by which they shall have been engaged in the Service of the said United Company, unless the Average Rate of Freight to be paid for the Ships of a similar Description, which shall have been taken up to serve the said Company for Six Voyages at least, in consequence of the Advertisement under which any Ship or Ships shall have been taken up to serve the said Company for Six Voyages at least, which shall have been published last immediately before such Contract for an additional Voyage or additional Voyages shall be entered into respectively, shall exceed such Rate, in which Case the Freight to be paid for Ships to perform any additional Voyage or Voyages may be extended to the said Average Rate of Freight, any thing herein contained to the contrary notwithstanding: Provided also, that in all Cases of Ships taken up under the Authority of this Act, all the Provisions and Directions contained in the said recited Acts shall be adhered to and performed in the same manner as in the said recited Acts are mentioned and directed, so far as they shall be applicable to the Case.

II. And be it further enacted, That it shall and may be lawful to and for the said Court of Directors of the said United Company from time to time to hire and take up by private Contract without advertising, any Ship or Ships engaged in His Majesty's Transport or other Service to carry Convicts or Stores to *New South Wales*, the *Cape of Good Hope* or *Ceylon*, for the Purpose of bringing home Cargoes from *China* or *India*, at such Rate of Freight and Demurrage as they shall judge to be reasonable, so as no such Ship shall be hired or taken up for more than One Voyage.

C A P. LXXXVII.

An Act to amend Two Acts, relating to the raising Men for the Service of the *East India* Company and the Quartering and Billetting such Men; and to Trials by Regimental Courts Martial.

[15th June 1810.]

29 G. 3. c. 109.

27 G. 2. c. 9.

‘ WHEREAS an Act passed in the Thirty ninth Year of the
‘ Reign of His present Majesty, intituled, *An Act for the better*
‘ *recruiting the Forces of the East India Company*: And whereas an
‘ Act passed in the Twenty seventh Year of the Reign of His late
‘ Majesty King George the Second, intituled, *An Act for punishing*
‘ *Mutiny*

‘ *Mutiny and Desertion of Officers and Soldiers in the Service of the United Company of Merchants of England trading to the East Indies; and for the Punishment of Offences committed in the East Indies or at the Island of Saint Helena*: And whereas it would tend to the more speedy recruiting of the Forces of the *East India Company*, if Men were permitted to enlist for a limited time in the Service of the said Company, without engaging to serve in His Majesty’s Forces; and Provision must in such Case be made for Quartering and Billetting the Men so raised: And whereas it is also expedient that the Provisions of the said recited Act of His late Majesty King *George the Second*, as to Trials by Regimental Courts Martial, should be amended in relation to the Members and Witnesses being sworn, as now required on such Trials in His Majesty’s Regular Forces:’ Be it therefore enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for His Majesty, his Heirs and Successors, to order and cause such of His Officers as he shall see fit, to levy, enlist and raise such Number of Men, either for Life or limited Service, as His Majesty shall from time to time think fit, not exceeding the Number of Men specified in the said recited Act of the thirty ninth Year of the Reign of His present Majesty aforesaid, for the special Purpose of serving in the *East Indies* in the Forces of the said United Company only; and the Recruits to be raised for such special Purpose, instead of taking the Oath of Fidelity appointed to be taken by the said recited Act of the Thirty ninth Year aforesaid, or by any Act in force for the Punishment of Mutiny and Desertion, shall take the Oath specified in the Schedule to this Act annexed, marked (A.); and instead of the Oath of Service prescribed by any Act in force for the punishing of Mutiny and Desertion, shall take the Oath in the Schedule to this Act annexed, marked (B.); which Oaths shall be administered by all Justices of the Peace and Magistrates before whom any such Recruits shall be carried for the Purpose of being attested, and the Certificate given upon such Attestation, shall be in the Form in the Schedule to this Act annexed, marked (C).

II. And be it further enacted, That all Soldiers enlisted into the Service of the said United Company of Merchants, shall be trained and disciplined, and subject to such Command and Regulations, and at all times and until their Embarkation be subject to all the Provisions of any Act in force for the Punishment of Mutiny and Desertion; and the better Payment of the Army and their Quarters, and after their Embarkation, to the Provisions of the said recited Act of the Twenty seventh Year aforesaid, in like manner as is prescribed in the said recited Act of the Thirty ninth Year aforesaid; and all the Powers, Authorities, Provisions, Clauses, Rules, Regulations and Restrictions, Penalties and Forfeitures, contained and prescribed in the said recited Act of the Thirty ninth Year aforesaid, shall extend and be in full Force as to all Soldiers enlisted under and after the passing of this Act into the Service of the said United Company of Merchants, as fully and effectually, as if the same were severally and respectively repeated and re-enacted in this Act and made Part thereof.

Enlisting Men specified in.
39 G. 3. c. 109:
to serve in Company’s Forces in India.

To be subject to Mutiny Act and to 27 G. 2. c. 9.

III. And

Former Acts relating to quartering, &c.

III. And be it further enacted, That all the Powers, Authorities, Provisions, Clauses, Rules, Regulations and Restrictions, and Penalties and Forfeitures, contained and prescribed in any Act or Acts of Parliament in force for the time being, in relation to the quartering and billeting and provisioning of, and Allowances in respect of such quartering and billeting of Soldiers and Officers in His Majesty's Service, and to the providing of Carriages for the Use of Soldiers shall, from and after the passing of this Act, extend to all Soldiers enlisted for or transferred into the Service of the said United Company of Merchants, as fully and effectually as if the same were severally and separately repeated and re-enacted in this Act, and made Part thereof; any thing in the said Act of the Thirty ninth Year aforesaid, or any other Act or Acts of Parliament to the contrary notwithstanding.

Men may enlist for 12 Years, &c.

IV. And whereas it is expedient to allow Men to enlist in the Service of the said United Company for Twelve Years; Be it therefore enacted, That it shall be lawful for any Person enlisting for limited Service in the Service of the said United Company, to enlist for Twelve Years, if at the Time of such enlisting he shall be of the Age of Eighteen Years and upwards, and if he shall be under Eighteen Years of Age, then for such further Period beyond Twelve Years as shall be equal to the Difference between Eighteen Years and the Age of the Person so enlisting.

Proviso for re-enlisting.

V. Provided always, and be it further enacted, That it shall be lawful for all Persons who shall have been enlisted for limited Service in the Forces of the said United Company, after the Expiration of the first Period for which they shall have been severally enlisted, to re-enlist for such further Period as shall be allowed and appointed by any Order of the Governor General in Council in *Bengal*.

Local Militia Men may enlist.

VI. And be it further enacted, That it shall be lawful for any Person ballotted or enrolled to serve or serving in the Local Militia, to enlist or enter into the Service of the United Company of Merchants trading to the *East Indies*, in like Manner and at such Times as any such Person might or may enlist or enter into His Majesty's Regular Forces.

His Majesty may direct Trials by Courts Martial.

VII. And be it further enacted, That all Regimental and Garrison and other Courts Martial which shall be held for the Trial of any Offences committed by the Troops in the Service of the said United Company, shall have full Power, and are hereby authorized and required to take and administer such Oaths, and to proceed in such manner in the Trial of Offences, as His Majesty shall from time to time think fit to order and direct.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

I *A. B.* being enlisted to serve in the [Infantry or Artillery, as the Case may be] of the *East India* Company, do swear, That I will bear true Allegiance to our Sovereign Lord King *George*, and that I will, as in Duty bound, defend him in his Person, Crown and Dignity, against all his Enemies; and I swear, that I will also be true to the said United Company, and will duly observe and obey all their Orders, and the Orders of their Generals and Officers who shall be lawfully set over me.

SCHEDULE

SCHEDULE (B.)

I *A. B.* do make Oath, That I am [*or, have been, as the Case may be*] [*state Occupation, if any, or state if none*] and to the best of my Knowledge and Belief was born in, [*state County, Parish or Place, &c.*] and that I am of the Age of _____ Years; that I do not belong to the Militia or to any Regiment in His Majesty's Service, or to His Majesty's Navy or Marines; and that I will serve the United Company of Merchants of *England* trading to the *East Indies* until I shall be duly and legally discharged, [*or, if the Recruit enlists for limited Service, then leave out the Words scored under, and insert*] for the Period of Twelve Years, [*if the Person enlisting is of the Age of Eighteen Years or upwards, but if under Eighteen Years, then the Difference between his Age and Eighteen to be added to such Twelve Years, as the Case may be, and such Period to be inserted instead of Twelve Years*] provided the said United Company should for so long require my Service.

SCHEDULE (C.)

I of _____ One of His Majesty's Justices of the Peace
[*or, Chief Magistrate of* _____] do
hereby certify That _____ appeared to be
Years old, _____ Feet _____ Inches high,
Complexion, _____ Eyes, _____ Hair, came before me
at _____ on the _____ Day of _____
and stated himself to be of the Age of _____ Years,
and that he had no Rupture, and was not troubled with Fits, and was
no ways disabled, by Lameness, Deafness, or otherwise, but had the
perfect Use of his Limbs and Hearing, and was not an Apprentice;
and acknowledged that he had voluntarily enlisted himself for the
Bounty of _____ to serve the United Company of
Merchants of *England* trading to the *East Indies*, and did engage to
serve for the Period of _____ [*this Blank to be filled up by
the Magistrate, either until discharged, or for Years, as in the preceding
Form of enlisting*]; and I do hereby certify, That in my Presence
the Third and Fourth Articles of the Second Section and First Ar-
ticle of the Sixth Section of the Articles of War against Mutiny and
Desertion were read over to him, and he took the Oath of Fidelity
mentioned in the Act of the Fiftieth Year of His present Majesty,
and also the Oath above set forth, and that he received the Sum of _____
on being attested; and that I have given to
the said _____ a Duplicate of this Certificate
signed with my Name.

C A P. LXXXVIII.

An Act to make Provisions for a limited Time respecting
certain Grants of Offices. [15th June 1810.]

WHEREAS on account of certain Proceedings depending in
Parliament, it is expedient to establish the Provisions herein-
after mentioned respecting certain Grants of Offices for a limited
Time; Be it therefore enacted by the King's Most Excellent Ma-
jesty, by and with the Advice and Consent of the Lords Spiritual
and Temporal, and Commons, in this present Parliament assembled,
50 Geo. III. Q and

Until Feb. 1,
1813, no Pub-
lick Office shall
be granted in
Reversion, &c.

Grants void'.

How far Grants
of Offices in
Courts of Law
exempted.

Proviso for Ap-
pointment of As-
sistants and Suc-
cessors to Clergy
of Scotland.

and by the Authority of the same, That from and after the passing of this Act until the First Day of *February* One thousand eight hundred and twelve, no Publick Office, Place or Employment, shall be granted in Reversion, or for Joint Lives with Benefit of Survivorship, or for Two or more Lives in Succession, by His Majesty, his Heirs or Successors, or by any Board or Department of Government; and that during the time aforesaid no Office, Place or Employment, in any of His Majesty's Courts of Common Law or Equity, shall be so granted, save as hereinafter is excepted.

II. And be it further enacted, That every Grant or Appointment which may hereafter be made contrary to the true Intent and Meaning of this Act, shall be to all Intents and Purposes void; and that all Salary and Emoluments received under any such Grant or Appointment shall and may be recovered by Information at the Suit of His Majesty's Attorney General in the Court of Exchequer, to the Use of His Majesty, his Heirs and Successors: Provided, that nothing herein contained shall be construed to make void any Grant of any Office, Place or Employment, in any of His Majesty's Courts of Law, which shall be made by any Chief Judge, Officers or Officer of any such Court being such Chief Judge, Officers or Officer at the time of passing this Act; or to make void any Grant of any Office, Place or Employment, in any such Courts which shall hereafter be made by any other Person or Persons having at the time of passing this Act the Right of granting any such Office, Place or Employment, if such Office, Place or Employment, was vacant at the time of passing this Act, or which shall be made by any other Officer or Officers of the said Courts not being such at the time of passing this Act, but becoming such by virtue of Appointments hereafter made by the Persons respectively who at the time of passing this Act are the Chief Judges, Officers or Officer of such Courts: Provided that nothing herein contained shall extend or be construed to extend, to save or render valid and effectual, any Grants hereafter to be made by any such Chief Judges, Officers, or other Persons as aforesaid, of Offices in Reversion, or for Joint Lives with Benefit of Survivorship, or for Two or more Lives in Succession, which Offices had not before been granted in Reversion, or for Joint Lives with Benefit of Survivorship, or for Two or more Lives in Succession; nor to make good any Grants which such Judges, Officers or Officer, or other Persons respectively would not have been entitled by Law to make, if this Act had not passed: Provided also, that nothing herein contained shall be construed to make void any Grants of any Offices, Places or Employments, in any of His Majesty's Courts of Law which shall be granted by His Majesty, his Heirs or Successors, in Reversion or for Joint Lives with Benefit of Survivorship, or for Two or more Lives in Succession, upon the Request or Recommendation of the Chief Judges or Officers of His Majesty's said Courts, being such at the time of passing this Act, and which Offices, Places or Employments, have been heretofore so granted upon such Request or Recommendation: Provided also, that this Act shall not be taken to prohibit the Appointment of Assistants and Successors to the Parochial Clergy of *Scotland*.

C A P. LXXXIX.

An Act for defraying, until the Twenty fifth Day of *March* One thousand eight hundred and eleven, the Charge of the Pay and Clothing of the Militia of *Ireland*; and for making Allowances in certain Cases to Subaltern Officers of the said Militia during Peace. [15th June 1810.]

WHEREAS it is necessary that Provision should be made for defraying the Charge of the Pay and Clothing of the Militia in that Part of the United Kingdom called *Ireland*, for One Year, from the Twenty fifth Day of *March* One thousand eight hundred and ten: Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for every County, County of a City or Town in *Ireland*, where the Militia is or shall be raised, the Lords Commissioners of His Majesty's Treasury in *Ireland* shall issue and pay out of the Consolidated Fund of *Ireland* the whole Sums required, in the manner and for the several Uses hereinafter mentioned; (that is to say) for the Pay of the said Militia at the Rate of Six Shillings *per* Day for each Adjutant, Paymaster and Surgeon respectively, where an Adjutant, Paymaster or Surgeon is appointed; and at the Rate of One Shilling and Six pence *per* Day for each Serjeant, resident at the Head Quarters of the Regiment, Battalion or Corps, with the Addition of Two Shillings and Six pence *per* Week for each Serjeant Major and Quarter Master Serjeant, where a Serjeant Major and Quarter Master Serjeant are appointed; and at the Rate of One Shilling *per* Day for each Drummer, so resident as aforesaid, with the Addition of Six pence *per* Day for each Drum Major, where a Drum Major is appointed; and at the Rate of One Shilling *per* Day for each Fifer so resident as aforesaid; and at the Rate of One Shilling and Two pence *per* Day for each Corporal so resident as aforesaid; and also at the Rate of Four pence *per* Month for each Private Man and Drummer, for defraying the contingent Expences of each Regiment and Battalion of Militia; One Penny whereof shall be applied for defraying the Hospital Expences of each Regiment or Battalion during the Time of the Men being from Home upon account of their annual Exercise; and also for the Clothing of the Militia for such County, after the Rate of Three Pounds and Ten Shillings for each Serjeant; and Two Pounds for each Drummer, with the Addition of One Pound for each Serjeant Major and each Drum Major; and at the Rate of Two Pounds for each Corporal, when such Serjeants, Drummers, Serjeant Majors, Drum Majors and Corporals, have not been clothed within Two Years; and, with respect to the Private Militia Men, at the Rate of One Pound Twelve Shillings for each Private Militia Man, when such Private Militia Men have not been clothed within Four Years: Provided always, that where any Serjeant, Corporal or Drummer, shall be absent on Furlough or Licence, such Serjeant, Corporal or Drummer, shall, during such Absence, receive the Rates of Pay following: (that is to say) every Serjeant the Sum of One Shilling, every Corporal the Sum of Eight pence, and every Drummer the Sum of Six pence *per* Day respectively, and no more; and it shall be lawful for the Lord Lieutenant or other Chief Governor or

Four Months
Pay in advance.

Rates of Pay.

Allowances for
Contingencies.

Clothing.

Rates of Pay
when on Fur-
lough.

Governors of *Ireland* for the time being, to direct that any such Pay shall be from time to time issued by the said Lords Commissioners of His Majesty's Treasury in *Ireland*, for any Period not exceeding Four Months from the time when such Advances shall be made.

Proviso for Certificate of Discharge of Serjeant, &c.

II. Provided always, and be it enacted, That in case the Colonel, or in his Absence from the Kingdom, the Commanding Officer of any Regiment or Battalion of Militia shall certify in Writing, to the Paymaster of the same, that he hath discharged any Serjeant, Corporal or Drummer, in such Case no Pay shall be issued for such Serjeant, Corporal or Drummer, until another be duly appointed.

Colonel to certify to Treasury Days of Exercise, &c.

III. And be it further enacted, That whenever the Governor or Governors, or Deputy Governors, at a General Meeting to be held for any County, County of a City or Town in *Ireland*, shall have fixed the Days of Exercise for the Militia, the Colonel or Commanding Officer shall, as soon as may be, certify the same to the Lords Commissioners of His Majesty's Treasury in *Ireland*, specifying the Number of Men and the Number of Days such Men are to be absent from Home on account of such Exercise, not exceeding in the Whole Twenty eight Days; and the Lords Commissioners of His Majesty's Treasury in *Ireland* are hereby required within Fourteen Days after the Receipt of such Certificate, to issue and pay out of the Consolidated Fund of *Ireland*, at the Rate of Ten Shillings *per* Day for the Captain of each Company, at the Rate of Five Shillings and Eight pence *per* Day for each Lieutenant, and of Four Shillings and Eight pence *per* Day for each Ensign, at the Rate of Five Shillings and Eight pence *per* Day for each Quarter Master, at the Rate of Seven Shillings and Six pence *per* Day for each Assistant Surgeon, and also at the Rate of One Shilling *per* Day for each Private Militia Man, for any Number of Days not exceeding Twenty eight, during which such Men shall be absent from Home on account of their Attendance at such Place of annual Exercise.

Rates of Pay.

Pay, &c. issued by Treasury of Ireland.

IV. And be it further enacted, That all Sums of Money granted for the Pay, Clothing and Contingent Expences of the said Militia as aforesaid, and the Allowances to Adjutants and Surgeons of the said Militia shall be issued and paid by the Lords Commissioners of His Majesty's Treasury in *Ireland*, under the Direction of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, for the time being, who is and are hereby empowered to issue such Regulations as he or they may deem it expedient to adopt from time to time in that Behalf.

While Militia embodied, Pay and Allowance to cease.

V. Provided always, and be it enacted, That where any Regiment or Battalion of Militia is or shall be embodied, or called out into actual Service, and thereby the Officers and Private Militia Men are or shall be entitled to the same Pay as the Officers and Private Men in His Majesty's other Regiments of Foot, all Pay as aforesaid, shall, during such time of actual Service, and until such Regiment or Battalion shall be disembodied and return Home, cease and not be paid.

No Fee on Warrant.

VI. Provided also, and be it enacted, That no Fee or Gratuity whatsoever shall be given or paid for or upon account of any Warrant or Sum of Money which shall be issued in relation to or in pursuance of this Act.

Persons on Half Pay, &c serving in Militia, to take Oath.

VII. Provided also, and be it enacted, That any Person being on Half Pay, or being entitled to any Allowance, as having served in any or either of the Two Troops of Horse Guards, or Regiment of Horse reduced,

reduced, and serving in the Militia, shall and may, and he is hereby empowered, to receive and take the Subsistence Money by this Act directed to be paid to Captains, Lieutenants or Ensigns; and the receiving and taking such Subsistence Money by any such Captain, Lieutenant or Ensign, shall not be deemed a receiving or taking Pay, so as in any manner to prevent such Person on Half Pay, or being entitled to any such Allowance, from receiving his Half Pay, or such Allowance; and such Person shall take the following Oath before some Justice of the Peace, who is hereby empowered to administer the same.

‘ I *A. B.* do swear, that I had not between the Oath.
 ‘ and the any Place or Employment of
 ‘ Profit, Civil or Military, under His Majesty, besides my Allowance
 ‘ of Half Pay as reduced in
 ‘ Regiment of or Allowance as
 ‘ in late Troop of Horse Guards or
 ‘ Regiment of Horse reduced, save and except my Subsistence as an
 ‘ Officer, for serving in the Militia in the County of
 ‘ So help me GOD.’

And taking the said Oath shall be sufficient to entitle such Person to receive his Half Pay, or the said Allowance, without taking any other Oath; any Law, Usage or Custom, to the contrary notwithstanding.

VIII. And be it further enacted, That the Lords Commissioners of His Majesty's Treasury in *Ireland*, as soon as they shall receive a Warrant under the Hand of the Colonel or Commanding Officer of the respective Regiments or Battalions of the Militia of *Ireland*, certifying the Receipt of the Clothing, which Certificate shall specify the Number of Serjeants, Corporals, Drummers and Private Men for whom the same shall have been supplied, and an Order from the said Colonel or Commanding Officer for Money due on account thereof, payable to the Person or Persons who furnished the said Clothing, shall pay the Sum mentioned in such Order to the Person entitled to receive the same, Provided the said Clothing shall not exceed the Allowance hereinbefore directed; and such Warrant and Order, together with the Receipt of the Person receiving the said Money, shall be a sufficient Voucher to the Lords Commissioners of His Majesty's Treasury in *Ireland* for such Payment. Treasury to issue Money for Clothing, &c.

IX. And be it further enacted, That the Hire or Cost of any House or Place in which the Arms, Accoutrements, Clothing, or other Stores belonging to any Regiment or Battalion of Militia in *Ireland* shall be kept when not embodied, shall be defrayed by the County, and the necessary Sum for that Purpose shall be raised by Presentment of the Grand Jury of the said County, and which Presentment the Grand Jury of the County is hereby authorized and required to pass, on a Certificate signed by the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, and specifying the Cost incurred or to be incurred in building such House or Place, or the Rent agreed to be paid for the same; which Certificate shall be transmitted by such Chief Secretary to the Clerk of the Crown for such County, at any time prior to the First Day of the Assizes for such County, or if in the County or County of the City of *Dublin*, then prior to

How Expenses of Place for depositing Arms and Stores defrayed.

Provide.

the First Day of the presenting Term : Provided, that in no Case any greater Rent than Forty Pounds *Irisb* Currency shall be presented by such Grand Jury for the annual Rent of such Place, nor a greater Sum than Two hundred Pounds *Irisb* Currency shall be required for building such House : Provided also, that the Grand Juries of such Counties shall be entitled to purchase Ground for building and erecting such House, in the same manner as they are now by Law entitled to purchase Grounds for building County Gaols.

Provide.

In what case
Adjutants and
Surgeons entitled
to Allowance.

X. And whereas Persons appointed to act as Adjutants and Surgeons in the Militia may by Age or Infirmary, be rendered incapable of doing the Duty thereof, and it is expedient that some Provision should be made for them in consideration of their former Services ; Be it enacted, That if any Adjutant or Surgeon of the said Militia, who shall have served faithfully either in His Majesty's Regular Forces or in the said Militia, for the full Term of Twenty Years in the Whole, Ten of which he shall have served as an Adjutant or Surgeon of Militia, shall have been by Age or Infirmary, rendered unfit for further Service, he shall, on producing to the Lords Commissioners of His Majesty's Treasury in *Ireland* a Certificate of such Service of Twenty Years as aforesaid, from the Commanding Officer of the Regiment or Battalion of Militia to which he belongs, be entitled to receive, and the said Lords Commissioners of His Majesty's Treasury in *Ireland* shall be and they are hereby authorized and required to pay to such Person producing such Certificate as aforesaid, an Allowance at the Rate of Six Shillings *per Diem* : Provided always, that no Person shall be entitled to receive such Allowance as aforesaid, who shall have served for a less Term than Ten Years in the Militia, or who shall hold any Office or Employment of Profit, Civil or Military, under His Majesty.

Annual Allow-
ance to Subal-
tern Officers
after disembod-
ing Militia.

XI. And whereas it is expedient to make some Addition to the Pay of certain Subaltern Officers, and to Quarter Masters and Assistant Surgeons of the Militia Forces of *Ireland* during Peace, under certain Regulations ; Be it therefore further enacted, That from and after the disembodiment of the Militia Forces in *Ireland*, certain annual Allowances, over and above the Pay to which during Peace they are now entitled, shall for the future be allowed and paid to such Subaltern Officers, Quarter Masters and Assistant Surgeons to the Amount, under the Restrictions, and in the manner hereinafter expressed ; (that is to say) to every Subaltern of the said Militia, who shall have at any time previous to the Expiration of Four Months from the passing of an Act of the last Session of Parliament, intituled,

49 G. 3. c. 85.

An Act for defraying, until the Twenty-fifth Day of March One thousand eight hundred and ten, the Charge of the Pay and Clothing of the Militia of Ireland ; for holding Courts Martial on Serjeant Majors, Serjeants, Corporals and Drummers, for Offences committed during the Time such Militia shall not be embodied ; and for making Allowances in certain Cases to Subaltern Officers of the said Militia during Peace, been appointed to a Commission in the said Militia, or who previous to the Expiration of Four Months from the passing of this Act, shall be appointed to a Commission, and who shall have continued faithfully to serve in the same Corps, until the disembodiment thereof, the Sum of Twenty five Pounds *per Annum* shall be allowed and paid over and above the Pay to which they may be by Law entitled during Peace,

and over and above any Deduction of any Kind, or for any Purpose whatsoever; and to every Quarter Master and Assistant Surgeon respectively, a like Allowance of Twenty five Pounds *per Annum*, in the manner hereinafter mentioned.

XII. Provided always, and be it further enacted, That no Person who is or shall at any time hereafter become possessed of such an Estate or Income, as would by Law entitle him to hold a Captain's Commission in the Militia of a County at large in *Ireland*, or who is or shall be at any time hereafter appointed Adjutant or Paymaster in any Regiment or Battalion of the said Militia, nor any Person deriving in any way whatsoever, otherwise than as a Subaltern, Quarter Master or Assistant Surgeon of the said Militia, any Income, Stipend or Allowance whatsoever from the Publick, nor any Officer on the Full or Half Pay of the Navy, Army or Marines, who shall also hold a Subaltern's Commission in the said Militia, shall have or be in any wise entitled to the said annual Allowance or any Part or Share thereof; any thing herein contained to the contrary thereof in any wise notwithstanding.

XIII. And be it further enacted, That every Subaltern Officer, Quarter Master and Assistant Surgeon of the Militia of *Ireland*, who shall claim under the Authority of this Act to receive any such Annual Allowance, shall, previous to receiving the same, and in order to entitle himself thereto, annually take and subscribe an Oath before some one of His Majesty's Justices of the Peace for the County, or County of a City, or County of a Town in *Ireland*, to which the Regiment or Battalion in which he serves shall belong, in the Words or to the Effect following, (*videlicet*)

I *A. B.* do swear, That I am serving as a Subaltern Officer, (Quarter Master, or Assistant Surgeon, *as the Case may be*) in the Regiment or Battalion of the Militia of *Ireland*; and that I am not in my own Right, or in Right of my Wife, nor have been since disembodied of the said Regiment or Battalion, in the actual Possession and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements or Hereditaments, of such an annual Value above Reprizes, as would qualify me to hold a Captain's Commission in the Militia of a County at large in *Ireland*; and that I am not, nor have been since the disembodied of the said Regiment or Battalion, an Adjutant or Paymaster in any Regiment or Battalion of the Militia of *Ireland*; that I do not hold or enjoy, nor have held or enjoyed, nor does nor has any Person for me hold or enjoy, or held or enjoyed since the disembodied the said Regiment or Battalion, any Office or Income whatsoever from the Publick; and that I am not entitled either to the Full or Half Pay of the Navy, Army or Marines, nor have been since the disembodied of the said Regiment or Battalion. So help me GOD.

Which Oath, so taken and subscribed, shall be by the said Justice forthwith certified and transmitted, and he is hereby required to certify and transmit the same to the Collector of Excise of the District in which the County, County of a City, or County of a Town shall be situate, to which such Regiment or Battalion of Militia in which such Subaltern Officer, Quarter Master or Assistant Surgeon shall be then serving shall belong, to be by him filed and preserved for the Purposes hereinafter mentioned.

Subalterns to
attend annual
Exercise.

Penalty.

Certificates of
Attendance trans-
mitted to Col-
lector of Excise.

Reasons for
Leave of Ab-
sence to be in-
serted in Certifi-
cate.

Subalterns enti-
tled to Allow-
ance though
Militia not called
out.

XIV. And be it further enacted, That every Subaltern Officer, Quarter Master or Assistant Surgeon of the said Militia who shall be entitled, or claim to be entitled to the Benefits of this Act, shall regularly attend the annual Exercise and Training of the Regiment or Battalion to which he belongs, during the Whole of the Twenty eight Days by Law required for that Purpose, and shall, during that time, punctually do and perform his Duty as a Subaltern Officer, Quarter Master or Assistant Surgeon of such Regiment or Battalion, on pain of forfeiting the said annual Allowance, as well as the Rest of his Pay, and every Part thereof which may be due for the current Year in which he shall neglect or refuse to attend; and Certificates of his having so attended and performed his Duty, signed by the Commanding Officer of the Regiment, or Battalion to which he may belong, shall be transmitted by the said Commanding Officer to the Collector of Excise of the District in which the County, County of a City, or County of a Town is situate, to which such Regiment or Battalion in which such Subaltern Officer, Quarter Master or Assistant Surgeon is then serving shall belong, to be by the said Collector received previous to any such Subaltern Officer, Quarter Master or Assistant Surgeon being entitled to demand or receive the said annual Allowance, or any Part thereof; and in case any such Subaltern Officer, Quarter Master or Assistant Surgeon claiming to be entitled to such annual Allowance, shall be by his Commanding Officer permitted or suffered for any special Cause or unavoidable Necessity, to be absent during the Whole or any Part of such annual Exercise, (in which Case it shall be lawful for such Commanding Officer to grant such Leave of Absence; and for such Subaltern Officer, Quarter Master or Assistant Surgeon, who may be so permitted to be absent, to demand and receive the said annual Allowance, and every Part thereof, in like manner as if he had attended during the Whole of the annual Exercise) the Reasons for such Absence, as well as the Duration thereof, shall be carefully and truly specified in the Certificates before mentioned, signed by the Commanding Officer, to be by him transmitted as soon as conveniently may be to the Collector of Excise for the District in which such County, County of a City or County of a Town, to which such Regiment or Battalion shall belong is situate, and to the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being.

XV. Provided always, and be it further enacted, That in case any Regiment or Battalion of the said Militia, after the disembodiment thereof, at any time shall not be called out for the annual Exercise and Training thereof, every Subaltern Officer, Quarter Master and Assistant Surgeon belonging to any such Regiment or Battalion, and coming within the Descriptions of this Act, who shall have taken the Oath hereinbefore mentioned, before any such Justice of the Peace as aforesaid, shall be entitled to the said annual Allowance as if such Subaltern Officer, Quarter Master or Assistant Surgeon had regularly attended the annual Exercise and Training of such Regiment or Battalion during the Whole of the Twenty eight Days by Law required for that Purpose, and as if a Certificate of such Attendance, signed by the Commanding Officer of such Regiment or Battalion, had been transmitted to the Collector of Excise for the District in which such County, County of a City, or County of a Town to which such Regiment or Battalion shall belong is situate, according to the Di-
rections

rections of this Act; any thing contained in this Act to the contrary notwithstanding.

XVI. And be it further enacted, That upon such Certificate as aforesaid of such Justice of the Peace and Commanding Officer as aforesaid, or where any Regiment or Battalion shall not have been called out to their annual Exercise as aforesaid, upon Certificate of any such Justice of the Peace only being produced to or received by the respective Collectors, it shall and may be lawful for such Collectors, and they are hereby authorized and required to pay to the said Subaltern Officers, Quarter Masters and Assistant Surgeons, the annual Allowance above mentioned, in addition to their Pay, without any Deduction whatsoever, out of any Publick Monies in their Hands; all which Monies so paid by such Collectors shall be allowed them in their Accounts; the Certificates before mentioned to be by them preserved and produced as Vouchers for the Payments from time to time made by them in pursuance of this Act.

Allowances paid without Deductions.

XVII. And be it further enacted, That the Subaltern Officers, Quarter Masters and Assistant Surgeons of the said Militia, entitled or claiming to be entitled to the Benefits of this Act, shall at all times be liable to serve in the respective Regiments or Battalions to which they belong, whenever the same shall be embodied or called out upon actual Service; and in case of Neglect or Refusal to attend when called upon, or in case any such Subaltern Officer, Quarter Master or Assistant Surgeon shall a Second time neglect or refuse to attend and perform his Duty at the annual Exercise as before directed, each and every such Subaltern Officer, Quarter Master or Assistant Surgeon shall forfeit his and their Claim to the said annual Allowance, and every Part thereof, in all time to come, and shall also be considered as having resigned and vacated his and their Commission and Commissions to all Intents and Purposes whatsoever.

Subalterns not attending, &c.

Penalty.

XVIII. And be it further enacted, That the said several annual Allowances shall be paid to the Persons respectively entitled thereto, by the Collectors, upon the Production of the before mentioned several Certificates as soon after the times of the annual Exercise and Training as may be convenient or practicable: Provided always, that nothing in this Act contained shall extend or be construed to extend, to prevent any Subaltern Officer entitled to the Benefit of this Act, from receiving the Pay allowed by Law for his Attendance at such annual Exercise as before mentioned, over and above the said annual Allowance: Provided also, that nothing in this Act shall extend or be construed to extend, to entitle any Subaltern Officer as aforesaid to the said annual Allowance, or any Part thereof, during the time the Regiment or Battalion to which he belongs shall be embodied or called out on actual Service: Provided also, that this Act, and the Benefits and Allowances therein contained, shall extend, and be construed to extend, to the Quarter Master and Assistant Surgeon of each and every Regiment or Battalion respectively, and also to the respective Numbers of Subaltern Officers in each and every Regiment and Battalion hereinafter respectively specified and no more, that is to say, not exceeding Twenty Subaltern Officers in any Regiment consisting of Ten Companies; not exceeding Eighteen Subaltern Officers in any Regiment consisting of only Nine Companies; not exceeding Sixteen Subaltern Officers in any Regiment consisting of only Eight Companies; not exceeding Fourteen Subaltern Officers in any

Allowance paid by Collectors;

but not while Militia embodied.

Number of Allowances limited.

any Regiment or Battalion consisting of only Seven Companies; and not exceeding Twelve Subaltern Officers in any Regiment or Battalion consisting of only Six Companies.

Senior Lieutenant to have the Preference.

XIX. And be it further enacted, That in case in any Regiment or Battalion of the said Militia, at the time of disembodiment thereof, there shall happen to be a greater Number of Subaltern Officers, coming within the Description of this Act, than can be entitled to claim the Benefits thereof, within the true Intent and Meaning of the foregoing proviso, the Senior Officers of such Number shall always be preferred, and shall be alone entitled to demand and receive the before mentioned Allowances, and that the Junior Officers shall succeed to such Allowances in rotation as Vacancies may happen among the said Senior Officers from time to time.

Penalties, &c. how recovered.

XX. And be it further enacted, That all Penalties and Costs and Charges of Suit, and all Sums of Money to or for which any Person or Persons is or are or may be made answerable or liable, under or by virtue of this Act, shall be paid in *Irish* Currency, and shall be recovered in any of His Majesty's Courts of Record at *Dublin*, by Action of Debt, Bill, Complaint or Information, wherein no Essoign, Wager of Law, Privilege or Protection, nor more than one Imparlance shall be allowed.

Altered, &c.

XXI. And be it further enacted, That this Act may be altered, amended or repealed, by any Act or Acts to be made in this present Session of Parliament.

Continuance.

XXII. And be it further enacted, That this Act shall continue in force until the Twenty fifth Day of *March* One thousand eight hundred and eleven, and no longer.

C A P. XC.

An Act for defraying the Charge of the Pay and Clothing of the Militia and Local Militia in *Great Britain* for the Year One thousand eight hundred and ten. [15th June 1810.]

Secretary at War to issue the Sum necessary for the Pay of the Regular and Local Militia, according to the Rates herein mentioned.

WHEREAS it is necessary that Provision should be made for defraying the Charge of the Pay and Clothing of the Regular Militia (when disembodied) and Local Militia in *Great Britain*, for One Year from the Twenty fifth Day of *December* One thousand eight hundred and nine: Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in every County, Riding or Place in *England*, and in every County, Stewartry, City or Place in *Scotland*, where the Regular Militia or Local Militia is or shall be raised, the Secretary at War for the time being is hereby authorized and empowered, and required to cause to be issued and paid the whole Sum required for the Regular Militia (when disembodied) and Local Militia respectively, in the Manner and for the several Uses hereinafter mentioned; (that is to say) for the Pay of the said Regular Militia or Local Militia at the Rate of Eight Shillings a Day for each Adjutant, where an Adjutant is appointed; and at the Rate of Five Shillings a Day for each Quarter Master, where a Quarter Master is appointed; and at the Rate of One Shilling and Six pence a Day for each Serjeant resident at the Head Quarters of the Regiment, Battalion or Corps, with the Addition of Two Shillings and

and Six pence a Week for each Serjeant Major, where a Serjeant Major is appointed, and at the Rate of One Shilling and Two pence a Day for each Corporal so resident as aforesaid; and at the Rate of One Shilling a Day for each Drummer so resident as aforesaid, with the Addition of Six pence a Day for each Drum Major, where a Drum Major is appointed; and also at the Rate of Four pence *per* Man for each Private Man and Drummer, for defraying the contingent Expences of each Regiment, Battalion or Corps; and also for the Clothing of the Regular Militia (when disembodied) or Local Militia for such County, Riding, Stewartry, City or Place, at the Rate of Four Pounds Ten Shillings for each Serjeant Major, Two Pounds for each Corporal, Four Pounds One Shilling and Nine pence for each Drum Major, Three Pounds One Shilling and Nine Pence for each Drummer, and One Pound Nineteen Shillings and Six pence for each Private Man; and that such Serjeant Majors, Drum Majors, Corporals and Drummers who may be retained on constant Pay and resident at Head Quarters, shall be clothed once in Two Years: Provided always, that when any Serjeant, Corporal or Drummer shall be absent on Furlough or Licence, such Serjeant, Corporal or Drummer shall, during such Absence, receive Pay at the following Rates instead of those above mentioned; (that is to say) every Serjeant the Sum of One Shilling a Day, every Corporal the Sum of Eight pence *per* Day, and every Drummer the Sum of Six pence *per* Day respectively, and no more; and it shall be lawful for the Secretary at War to cause any such Pay to be from time to time issued in Advance, for any Period not exceeding Four Months from the time for which such Advances shall be made.

Rates of Pay to Serjeants, Corporals and Drummers on Furlough.

II. And be it further enacted, That there shall be granted to the Surgeon of each Regiment, Battalion or Corps of Regular Militia when disembodied, and Local Militia, a Sum of Money in addition to his Pay, after the Rate of One Guinea for every One Hundred Men of each such Regiment, Battalion or Corps, for the Expence of necessary Medicines for the Sick Non-commissioned Officers, Drummers and Private Men of such Regiment, Battalion or Corps, during the Period or Periods of Assembly for annual Exercise or Training; and Six pence *per* Month for each of the Non-commissioned Officers and Drummers of any such Regiment, Battalion or Corps on constant Pay at Head Quarters, for the Expence of necessary Medicines and Attendance given to the Non-commissioned Officers and Drummers on constant Pay at Head Quarters, while such Regiment, Battalion or Corps is not called out for annual Training and Exercise.

Allowance to Surgeons.

III. And be it further enacted, That the Quarter Master or Battalion Clerk to each Regiment, Battalion or Corps of Militia, or Local Militia, shall have the Charge and Care of the Arms, Accoutrements, Clothing, Necessaries, and other Stores under the Superintendence of the Colonel or Commandant; and shall, out of the Money hereby directed to be issued and paid for defraying the contingent Expences of such Regiment, Battalion or Corps, from time to time, issue out and pay such Sums of Money as may be necessary for the Repair of Arms, upon an Order in Writing signed by the Colonel or other Commandant, and after Payment of such Sums as shall be drawn upon him by the Colonel or other Commandant as aforesaid, he shall Three times in the Year make up Accounts of all such

Quarter Master or Battalion Clerk to have the Charge of Arms, &c. to account.

Balance to form
a Stock Purse
for the Use of
the Regiment,
&c.

Pay to Militia
(when not embod-
ied) regulated.

Money for Pay
and Clothing how
issued.

49 G. 3. c. 37.

50 G. 3. c. 7.

42 G. 3. c. 90.

Allowance to
Innkeepers.

such Money, and the Expenditure thereof, and the Balance remaining in his Hands; which said Balance shall form a Stock Purse for the Use of the Regiment, Battalion or Corps, and transmit the same to the Colonel or other Commandant of such Regiment, Battalion or Corps, to be by him examined, allowed and signed; and the said Accounts, so allowed and signed, shall be and are hereby directed to be the proper Vouchers and Acquittal of such Quarter Matter or Battalion Clerk, for the Application and Disposal of such Money.

IV. And be it further enacted, That the Officers and Non-commissioned Officers and Private Men of the Regular Militia and Local Militia, when not drawn out and embodied, shall be entitled to the same Pay and Allowance as the Regular Militia when drawn out and embodied: Provided always, that the said Pay and Allowances shall only extend to such Period or Periods for which the said Regular Militia or Local Militia shall be called out for the Purpose of annual Exercise or Training, or when called out for suppressing Riots or Tumults, exclusive of the Days of arriving at and Departure from, and marching to and from the Place appointed for Exercise; any thing in any Act or Acts of Parliament to the contrary notwithstanding.

V. And be it further enacted, That all Sums of Money granted for the Pay, Clothing, and contingent Expences for the Regular Militia (when disembodied) and Local Militia as aforesaid, shall be issued and paid under the Direction of the Secretary at War, who is hereby empowered to issue such Regulations as he may deem it expedient to adopt, from time to time, in that Behalf.

VI. And whereas in pursuance of an Act passed in the last Session of Parliament, intituled, *An Act for increasing the Rates of Subsidence to be paid to Innkeepers and others on quartering Soldiers*, certain increased Rates are allowed for the Payment of Innholders and others on whom Non-commissioned Officers and Private Soldiers may, by virtue of an Act passed also in the present Session of Parliament for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters, be quartered in that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, the Dominion of *Wales* and the Town of *Berwick* upon *Tweed*: And whereas by an Act passed in the Forty second Year of the Reign of His present Majesty, intituled, *An Act for amending the Laws relating to the Militia in England; and for augmenting the Militia*; the Officers, Non-commissioned Officers, Drummers and Private Men of the said Militia, when called out to annual Exercise, are required to be quartered and billeted in Inns, Livery Stables, Alehouses, Victualling Houses, and all Houses of Persons selling Brandy, Strong Waters, Cyder, Wine or Metheglin by Retail; Be it enacted, That the Innholders and others on whom the said Non-commissioned Officers, Drummers and Private Men of the Regular Militia (when disembodied) or Local Militia shall be so quartered and billeted, shall be entitled to and receive the same Rates of Allowance for each Serjeant Major, Drum Major, Serjeant, Corporal, Drumer and Private Man so quartered and billeted upon them, during the Time of their remaining assembled for Exercise as aforesaid, and under the same Rules and Regulations as such Innholders or others may now, by the above mentioned Act for the Relief of Innkeepers, demand and receive for the Non-commissioned Officers, Drummers and

and private Soldiers of the Regular Infantry, in the respective Cases of their furnishing them with Diet and Small Beer, or supplying them in lieu thereof with the Articles specified in the said Act for punishing Mutiny and Desertion; and the Secretary at War is hereby authorized and required to supply the necessary Funds to defray the Charge of the Allowances so to be made to the said Innholders and others: Provided always, that each of the Non-commissioned Officers, Drummers and Private Men who shall be furnished with Diet and Small Beer as aforesaid, shall contribute towards the Expence thereof, the like Proportion of his Pay and Beer Money, as is or shall be contributed in the like Case by the Non-commissioned Officers, Drummers and Soldiers of the Regular Infantry.

VII. Provided always, and be it further enacted, That any Person being on Naval or Military Half Pay, or being entitled to any Allowance as having served in any of His Majesty's Forces, or Navy or Marines, and serving in the Local Militia, shall and may, and he is hereby empowered, to receive and take the Subsistence Money by this Act directed to be paid to Field Officers, Captains, Lieutenants, Ensigns, Adjutants, Quarter Masters, Surgeons; and the receiving and taking any such Subsistence Money by any such Field Officer, Captain, Lieutenant, Ensign, Quarter Master, Surgeon, shall not be deemed receiving or taking of Pay so as in any Manner to prevent such Person on Half Pay, or being entitled to any such Allowance, from receiving his Half Pay or such Allowance; and such Person shall take the following Oath before some Justice of the Peace, who is hereby empowered to administer the same:

Persons on Half Pay serving in Local Militia may receive Pay.

' I *A. B.* do swear, That I had not between the
' I and the any Place or Employment of Profit, Civil or Military, under His Majesty, besides my Allowance of Half Pay as a Reduced in His Majesty's Navy, [*or in the Marines*], [*or, in late Regiment of*], [*or Allowance as* in late Troop of Horse Guards], [*or, Regiment of Horse reduced*], save and except my Subsistence [*as a Field Officer, Captain, Lieutenant, Ensign, Adjutant, or Quarter Master, Surgeon, as the Case may be*], for serving in the Local Militia of the County of

Oath.

And the taking the said Oath shall be sufficient to entitle such Person to receive his Half Pay or the said Allowance, without taking any other Oath; any Law, Usage or Custom to the contrary notwithstanding.

VIII. Provided always, and be it further enacted, That no Non-commissioned Officer or Private Man in the Regular Militia or Local Militia, entitled to receive any *Chelsea* Pensions or Allowance, shall forfeit or lose his Right to the same by reason of his serving and receiving Pay in the Regular Militia or Local Militia.

Receiving Chelsea Pensions not to affect Pay.

IX. And whereas Persons appointed to act as Adjutants in the Regular Militia may by Age or Infirmary be rendered incapable of doing the Duty thereof; and it is expedient that some Provision should be made for them in consideration of their former Services; Be it enacted, That if any Adjutant of Regular Militia, who shall have served faithfully either in His Majesty's Regular Forces or in the Regular Militia, for the full Term of Thirty Years in the Whole, Fifteen of which he shall have served as an Adjutant of Regular Militia,

Allowance to Adjutants unfit to serve.

Allowance not to
affect Half Pay.

Allowance to Per-
sons serving as
Adjutants in re-
duced Regiments,
&c.

Allowance to
Surgeons after
30 Years Service.

Receivers Gene-
ral of Land Tax

litia, shall by Age or Infirmary be rendered unfit for further Service, he shall, on producing to the Receiver General of the Land Tax for the County, Riding or Place to which such Regular Militia shall belong, if in *England*, or to the Receiver General for *Scotland*, if in *Scotland*, a Certificate of such Service of Thirty Years as aforesaid, from the Commanding Officers of the different Corps to which he shall have belonged, be entitled to receive, and the Receivers General aforesaid respectively shall be, and they are hereby authorized and required, to pay to such Person producing such Certificate as aforesaid, an Allowance at the Rate of Six Shillings *per Day*: Provided always, that no Person shall be entitled to receive such Allowance as aforesaid who shall have served for a less Term than Fifteen Years as an Adjutant of Regular Militia, or who shall hold any Office or Employment of Profit, Civil or Military, under His Majesty, except as Regimental or Battalion Clerk of any Regiment, Battalion or Corps of Regular Militia: Provided also that no such Adjutant shall lose any Right he may have to Half Pay, by reason of receiving such Allowance as aforesaid, but shall be entitled to receive such Half Pay as well as such Allowance.

X. And be it further enacted, That in case any Regiment, Battalion, Corps or Independent Company shall have already ceased and determined, or been reduced in its Establishment, or shall cease and determine, or be reduced in its Establishment during the Continuance of this Act, the Sum of Three Shillings *per Diem* shall be paid to such Person as has actually served as Adjutant to such Regiment, Battalion, Corps or Independent Company, from the Twenty fifth Day of *March* One thousand eight hundred and ten, or from the time such Regiment, Battalion, Corps or Independent Company shall cease and determine, or be reduced in its Establishment, as the Case may be, to the Twenty fifth Day of *March* One thousand eight hundred and eleven: Provided always that no such reduced Adjutant shall lose any Right he may have to Half Pay by reason of receiving such Allowance as last aforesaid, but shall be entitled to receive such Half Pay as well as such Allowance..

XI. And whereas Persons appointed to act as Surgeons in the Regular Militia may by Age or Infirmary be rendered incapable of doing the Duty thereof, and it is expedient that some Provision should be made for them in consideration of their former Services; Be it enacted, That if any Surgeon of Regular Militia, having faithfully served in the Militia for the full Term of Thirty Years, shall by Age or Infirmary be rendered unfit for further Service, he shall, on producing to the Receiver General of the Land Tax for the County, Riding or Place to which such Regular Militia shall belong, if in *England*, or to the Receiver General for *Scotland*, if in *Scotland*, a Certificate of such Service of Thirty Years as aforesaid, from the Commanding Officers of the different Corps to which he shall have belonged, be entitled to receive, and the Receivers General aforesaid respectively shall be, and they are hereby authorized and required, to pay to such Person producing such Certificate as aforesaid, an Advance at the Rate of Three Shillings a Day: Provided always, that no Person shall be entitled to receive such Allowance as aforesaid who shall hold any Office or Employment of Profit, Civil or Military under His Majesty.

XII. And be it further enacted, That in every County, Riding or

or Place in *England*, where the Regular Militia or Local Militia is or shall be raised, the Receiver or Receivers General of the Land Tax for such County, Riding or Place respectively, and in every County, Stewartry, City or Place in *Scotland*, where the Regular Militia or Local Militia is or shall be raised, the Receiver General for *Scotland* shall issue and pay the whole Sums required for the respective Allowances to the Clerks of the General Meetings, and Clerks of the several Subdivision Meetings in *England*, at the Rates following; that is to say, to the Clerk of the General Meetings, at the Rate of Five Pounds Five Shillings for each Meeting; and to the several Clerks of the Subdivision Meetings, at the Rate of One Pound One Shilling for each Meeting; and such further Allowance shall be made to such respective General and Subdivision Clerks, for their Expences and Trouble in amending the Returns of Persons returned liable to serve in the Regular Militia or Local Militia, by taking out the Names of all Persons who may appeal, and whose Appeals or Claims of Exemption have been allowed, and inserting the Names of any Persons that shall have been omitted to be inserted; and in numbering the Returns and making out the Tickets for the Ballot after the Rate of One Pound Fifteen Shillings for every One thousand Names of Persons returned liable to serve; and also for the actual Expences incurred by such respective Clerks, and for Printing and Stationary used for the Purpose of this Act, as to the Lord Lieutenants or Deputy Lieutenants of the respective Counties, Ridings, Cities or Places, shall appear reasonable and proper; and in case the Orders made by the Lord Lieutenants or Deputy Lieutenants for the Payment of such further Allowances as aforesaid, shall be confirmed at a General Meeting consisting of not less than Five Deputy Lieutenants, but not otherwise.

to pay Money required for Allowances to Clerks of General and Subdivision Meetings;

XIII. And be it enacted; That the Receivers General in *England* shall pay to the Clerk of the General Meetings his Allowance, at the Rate of Five Pounds and Five Shillings for each Meeting, or such further Allowance as may be made as hereinbefore directed, upon his producing an Order or Orders for that Purpose from His Majesty's Lieutenant, or from Three Deputy Lieutenants assembled at some General Meeting or Meetings; and shall also pay to each and every of the Clerks of the Subdivision Meetings, their several Allowances at the Rate of One Pound and One Shilling for each Meeting, or such further Allowance as may be made as hereinbefore directed, upon his or their producing an Order or Orders from One or more Deputy Lieutenant or Deputy Lieutenants, assembled in the several Subdivision Meetings; which said Order or Orders, specifying the Day or Days of Meeting, at what Place or Places and for what Purpose or Purposes the said General and Subdivision Meeting or Meetings have been assembled and held, together with the Clerk's Receipt or Receipts for the Sums so claimed, shall be to the Receivers General in *England* respectively a sufficient Discharge for the Payment of such Allowances, and be allowed in their Accounts; and that the several Allowances to Clerks of General and Subdivision Meetings, for their Trouble and Expences in the Execution of this Act in *Scotland*, shall be paid and defrayed in the same Manner in which School-masters, Constables, and other Persons employed in the Execution of an Act, passed in the Forty second Year of the Reign of His present Majesty, intituled, *An Act to raise and* 42 G. 3. c. 91. *establish*

who shall produce the Order for receiving Payment.

establish a Militia Force in Scotland, are directed to be paid for their Trouble and Expences.

Stamp Duty on Commissions in Local Militia repaid.

XIV. Provided always, and be it further enacted, That it shall be lawful for the Agent General of Volunteers and Local Militia, and he is hereby required, to repay any Sum of Money which may have been paid for the Stamp Duty, on any Commission of any Officer in the Local Militia, under such Regulations, and in such Manner, as the Secretary at War shall appoint.

Bills, &c. drawn for Pay not on stamped Paper.

XV. And be it further enacted, That all Bills, Drafts and Orders drawn for the Pay or Allowance of the Regular Militia (when disembodied) or Local Militia under this Act, may or shall be drawn upon unstamped Paper; and no such Bill, Draft or Order shall be void, by reason of being so drawn or written on unstamped Paper.

Fees.

XVI. Provided always, and be it enacted, That no Fee or Gratuity whatsoever shall be given or paid for or upon account of any Warrant or Sum of Money which shall be issued in relation to or in pursuance of this Act.

How Penalties sued.

XVII. Provided always, and be it enacted, That all Penalties and Costs and Charges of Suit, and all Sums of Money for which any Person or Persons is or are by this Act made answerable, may and shall be recovered in any of His Majesty's Courts of Record at *Westminster*, or in His Majesty's Court of Exchequer in *Scotland*, according as the Case may require, by Action of Debt, Bill, Complaint or Information, wherein no Essoign, Wager of Law, or Protection, or more than One Imparance shall be allowed.

C A P. XCI.

An Act to revive and continue, until the Twenty fifth Day of *March* One thousand eight hundred and eleven, and amend so much of an Act, made in the Thirty ninth and Fortieth Year of His present Majesty, as grants certain Allowances to Adjutants and Serjeant Majors of the Militia of *England*, disembodied under an Act of the same Session of Parliament.

[15th June 1810.]

39 & 40 G. 3.
c. 44.

‘ WHEREAS it is expedient that an Act passed in the Thirty
‘ ninth and Fortieth Years of the Reign of His present Ma-
‘ jesty, intituled, *An Act for granting, until the Twenty fifth Day*
‘ *of March One thousand eight hundred and one, certain Allowances*
‘ *to Adjutants, Serjeant Majors and Serjeants of Militia, disembodied*
‘ *under an Act of this Session of Parliament, intituled, An Act for ena-*
‘ *bling His Majesty to accept the Services of an additional Number of*
‘ *Volunteers from the Militia under certain Restrictions*, which has
‘ been revived and continued by several subsequent Acts until the
‘ Twenty fifth Day of *March* One thousand eight hundred and ten,
‘ should be again revived and further continued, so far as the same
‘ relates to Adjutants and Serjeant Majors;’ Be it therefore enacted
by the King's Most Excellent Majesty, by and with the Advice and
Consent of the Lords Spiritual and Temporal, and Commons, in this
present Parliament assembled, and by the Authority of the same,
That the said recited Act and the Allowances therein granted and
mentioned to Adjutants and Serjeant Majors, and all the Provisions
relating thereto, shall be revived from the said Twenty fifth Day of
March

revived and con-
tinued till

March One thousand eight hundred and ten, and be further continued until the Twenty fifth Day of *March* One thousand eight hundred and eleven, so far as the same relates to Adjutants and Serjeant Majors; and that all such and the like Allowances as would have been payable and paid unto any Adjutants and Serjeant Majors, if the said Act and Allowances had been continued by any Act of Parliament before the said Twenty fifth Day of *March* One thousand eight hundred and ten, shall be payable and paid, and all Arrears thereof fully satisfied, in like manner in every Respect as if this Act had passed before the said Twenty fifth Day of *March* One thousand eight hundred and ten.

March 25, 1811,
so far as respects
Adjutants, &c.

II. And be it further enacted, That every reduced Adjutant entitled to any Allowance under this Act may receive and take such Allowance, together with the Pay of any such Commission, or Half Pay, or any such other Allowance or Emolument, as is allowed to be held or received by any Adjutant of any Militia in that Part of *Great Britain* called *England*, together with any Pay or Allowance to which he may be entitled as such Adjutant: Provided always, that no such reduced Adjutant shall be entitled to receive any Allowance under this Act during the time he shall hold any Place of Profit, Civil or Military, under His Majesty, other than such as aforesaid.

Reduced Adjutants entitled to Pay and Allowance under Act.

C A P. XCII.

An Act for making Allowances in certain Cases to Subaltern Officers of the Militia in *Great Britain*, while disembodied.

[15th June 1810.]

‘ **W**HEREAS it is expedient to make some Addition to the Pay of certain Subaltern Officers of the Militia Forces in *Great Britain*, while disembodied, under certain Regulations;’ May it therefore please Your Majesty that it may be enacted; and be it enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the following annual Allowances, over and above the Pay to which they are now by Law entitled, during the time of annual Exercise, shall be made and paid to the Amount, under the Restrictions, and in the Manner hereinafter expressed, to every Subaltern Officer now bearing a Commission and serving in the Militia of *Great Britain*, who shall continue faithfully to serve in the same Corps, or who previously to the Expiration of Three Months from the passing of this Act shall be duly appointed to a Commission, and shall continue faithfully to serve in the embodied Militia, and in the same Corps until the disembodiment thereof; (that is to say) to a Lieutenant or a Surgeon Twenty five Pounds Eighteen Shillings and Six pence, being at the Rate of One Shilling and Five pence *per Diem* for Three hundred and sixty six Days; and to an Ensign Twenty one Pounds Seven Shillings, being at the Rate of One Shilling and Two pence *per Diem* for Three hundred and sixty six Days: Provided always, that all such Officers of the Militia as are now serving with the Rank of Captain Lieutenant shall be deemed to be Lieutenants for the Purposes of this Act.

Annual Allowances besides Pay to Lieutenants, Surgeons and Ensigns.

II. Provided also, and be it further enacted, That no Person who

Exceptions.

is or shall during the Continuance of this Act become possessed of such an Estate or Income as would by Law qualify him to hold the Commission of Captain of a Company in the Militia, or who is or shall be appointed Adjutant or Battalion Clerk in any Regiment, Battalion or Corps of Militia, nor any Person deriving in any way whatsoever, otherwise than as a Subaltern Officer or Surgeon of the Militia any Income, Stipend or Allowance whatever from the Publick, nor any Officer on the Full or Half Pay of the Navy, Army or Marines, who shall also hold a Subaltern's or Surgeon's Commission, and have served as aforesaid in the Militia, shall have or be in any wise entitled to the said annual Allowances, or any Part or Share thereof; any thing herein contained to the contrary thereof in any wise notwithstanding.

Subalterns and
Surgeons to take
the following

III. And be it further enacted, That the Subaltern Officers and Surgeons of the Militia, who shall claim under the Authority of this Act to receive any Part of the said annual Allowances, shall, previous to receiving the same, and in order to entitle themselves thereto, take and subscribe an Oath before some One of His Majesty's Justices of the Peace for the County, Riding, Stewartry, City or Place, to which the Regiment, Battalion, Corps or Independent Company in which they serve shall belong, in the Words or to the Effect following; (*videlicet*)

Oath.

' I *A. B.* do swear, That I belonged to the
' of Militia when the same was disembodied, and that
' I have continued to serve therein from that Time until the
' Day of inclusive, as a [Captain Lieutenant,
' Lieutenant, Ensign or Surgeon, *as the Case may be*] and that I was
' not, in my own Right or in Right of my Wife, during the said
' Period, in the actual Possession and Enjoyment or Receipt of the
' Rents and Profits of Lands, Tenements or Hereditaments of such
' an annual Value above Reprises, as would qualify me to hold a
' Commission of Captain of a Company in the Militia; that I have
' not, during the above Period, held the Appointment of Adjutant
' or Battalion Clerk in any Regiment, Battalion or Corps of Militia;
' that I did not hold or enjoy, nor did or has any Person for me
' hold or enjoy, or held or enjoyed, during the said Period, any Office
' or Income whatsoever from the Publick, except my Pay as
' for the Period of the Corps having assembled
' to be trained and exercised; and that I was not entitled during the
' said Period either to the Full or Half Pay of the Navy, Army or
' Marines.

' So help me GOD.'

Justices to trans-
mit Oath to Re-
ceiver General.

Which Oath, so taken and subscribed, shall be by the said Justice forthwith certified and transmitted, and he is hereby required to certify and transmit the same to the Receiver General of the Land Tax of the County, Riding or Place to which the Regiment, Battalion, Corps or Independent Company of Militia in which such Subaltern Officer or Surgeon shall be then serving shall belong, if in *England*, or to the Receiver General for *Scotland*, if in *Scotland*, to be by him filed and preserved for the Purposes hereinafter mentioned.

Subalterns and
Surgeons to
attend annual
Exercise.

IV. And be it further enacted, That every Subaltern Officer and Surgeon of the Militia who shall be entitled, or claim to be entitled to the Benefits of this Act, shall regularly attend the annual Exercise and Training of the Regiment, Battalion, Corps or Independent Company

Company to which he belongs, during the Whole of the Time by Law appointed for that Purpose, and shall, during the said Time, punctually do and perform his Duty as a Subaltern Officer or Surgeon of such Regiment, Battalion, Corps or Independent Company, on pain of forfeiting the said annual Allowance, as well as the rest of his Pay, and every Part thereof which may be due for the current Year, in which he shall neglect or refuse to attend; and Certificates of his having so attended and performed his Duty, signed by the Commanding Officer of the Regiment, Battalion, Corps or Independent Company to which he may belong, shall be transmitted by the said Commanding Officer to the Lieutenant of the County, Riding, Stewartry, City or Place, to which the said Regiment, Battalion, Corps or Independent Company of Militia shall belong, and also to the Receiver General of such County, Riding or Place, if in *England*, or to the Receiver General for *Scotland*, if in *Scotland*: Provided always, that in case any such Subaltern Officer or Surgeon claiming to be entitled to such annual Allowance, shall by his Commanding Officer be permitted or suffered, for any special Cause or unavoidable Necessity, to be absent during the Whole or any Part of such annual Exercise, (in which Case it shall be lawful for such Commanding Officer to grant such Leave of Absence, and for such Subaltern Officer or Surgeon who may be so permitted to be absent, to demand and receive the said annual Allowance, and every Part thereof, in like manner as if he had attended during the whole of the said annual Exercise) the Reasons for such Absence, as well as the Duration thereof, shall be carefully and truly specified in Certificates (in lieu of those before mentioned), to be signed by the Commanding Officer, and to be transmitted as soon as conveniently may be to the Lieutenant of the County, Riding, Stewartry, City or Place, to which the Regiment, Battalion, Corps or Independent Company, wherein such Subaltern or Surgeon shall be serving, shall belong, and also to the Receiver General of the same County, Riding or Place, if in *England*, or to the Receiver General for *Scotland*, if in *Scotland*.

Penalty:

Certificates of Attendance transmitted to Lieutenant and Receiver General of County. Reasons for Leave of Absence to be inserted in Certificate.

V. Provided always, and be it further enacted, That in case any Regiment, Battalion, Corps or Independent Company of Militia, after the disembodiment thereof, and before the respective Days hereinafter fixed for the Half-yearly Payment of the said annual Allowances, shall not be called out for the annual Exercise and Training thereof, every Subaltern Officer and Surgeon belonging to any such Regiment, Battalion, Corps or Independent Company, and coming within the Descriptions of this Act, who shall have taken and subscribed the Oath hereinbefore mentioned, before any such Justice of the Peace as aforesaid, shall be entitled to the said annual Allowance, as if such Subaltern Officer or Surgeon had regularly attended the annual Exercise and Training of such Regiment, Battalion, Corps or Independent Company, during the whole of the Time by Law appointed for that Purpose, and as if a Certificate of such Attendance, signed by the Commanding Officer of the said Regiment, Battalion, Corps or Independent Company, had been transmitted to the Lieutenant of the County, Riding, Stewartry, City or Place to which such Regiment, Battalion, Corps or Independent Company shall belong, and also to the Receiver General of the same County, Riding or Place, if in *England*, or to the Receiver General for *Scotland*, if in

Subalterns and Surgeons entitled to Allowance, though Militia not called out.

in *Scotland*, according to the Directions of this Act; any thing contained in this Act to the contrary hereof notwithstanding.

Allowances paid
without Deduc-
tions.

VI. And be it further enacted, That upon such Certificates as aforesaid of such Justice of the Peace and Commanding Officer as aforesaid, or (where any Regiment, Battalion, Corps or Independent Company of Militia shall not have been called out to their annual Exercise as aforesaid) upon a Certificate of any such Justice of the Peace only being produced to or received by the respective Receivers General, it shall and may be lawful for such Receivers General, and they are hereby authorized and required to pay to the said Subaltern Officers and Surgeons, according to the respective Commissions of Lieutenant, Ensign or Surgeon, in addition to their Pay, for the Time of training and Exercise, One Moiety of the annual Allowance above mentioned on the Twenty fourth Day of *September* next, and the other Moiety of the same on the Twenty fourth Day of *March* One thousand eight hundred and eleven, without any Deduction whatsoever, out of any publick Monies in their Hands, and to charge the same in their respective annual Accounts of Money disbursed for the Use of the Publick; the Certificates before mentioned to be by them preserved and produced among the Vouchers for the Payments from time to time made by them, in pursuance of this Act.

Subalterns and
Surgeons not
attending.

VII. And be it further enacted, That the Subaltern Officers and Surgeons of the Militia, entitled or claiming to be entitled to the Benefits of this Act, shall at all times be liable to serve in the respective Regiments, Battalions, Corps or Independent Companies to which they belong, whenever the same shall be embodied, and called out upon actual Service; and in case of Neglect or Refusal to attend when called upon, or in case any such Subaltern Officer or Surgeon shall at any time wilfully neglect or refuse to attend, and perform his Duty at the annual Exercise as before directed, and at such other Times, or for such other Occasions, as may be required of him in pursuance of the Laws now in force respecting the Militia when disembodied, each and every such Subaltern Officer and Surgeon shall, upon such Neglect or Refusal being certified to the Lord Lieutenant by the Colonel or other Commandant of the Regiment, Battalion, Corps or Independent Company to which such Subaltern or Surgeon shall belong, forfeit his Claim to the said annual Allowance, and every Part thereof, and shall also be considered as having resigned and vacated his Commission to all Intents and Purposes whatsoever.

Penalty.

Allowances paid
by Receiver
General on Pro-
duction of Cer-
tificates;
but not while
Militia em-
bodied.

VIII. And be it further enacted, That the said several annual Allowances shall be paid to the Persons respectively entitled thereto, by the Receivers General of the Land Tax in *England*, and the Receiver General for *Scotland* respectively, upon the Production of the before mentioned several Certificates, on or as soon after the Twenty fourth Day of *September* next, and the Twenty fourth Day of *March* One thousand eight hundred and eleven respectively, as may be convenient and practicable: Provided always, that nothing in this Act contained shall extend, or be construed to extend, to entitle any Subaltern Officer or Surgeon as aforesaid to the said annual Allowance, or any Part thereof, during the Time the Militia to which he belongs shall be embodied, or ordered out on actual Service: Provided also, that this Act, and the Benefits and Allowances therein contained, shall not extend, or be construed to extend to more than Ten Lieutenants in any Regiment consisting of more than Ten Companies;

Number of
Allowances
limited.

panies; to more than Nine Lieutenants in any Regiment consisting of more than Eight and less than Eleven Companies; to more than Eight Lieutenants in any Regiment consisting of more than Six and less than Nine Companies; or to more than Five Lieutenants in any Regiment, Battalion or Corps, consisting of Six or of a less Number of Companies, except where the Companies consist of Ninety Private Men each or upwards, in which Case this Act, and the Benefits and Allowances therein contained, may be extended to Eighteen Lieutenants in any Regiment consisting of more than Ten Companies; to Sixteen Lieutenants in any Regiment consisting of more than Eight and less than Eleven Companies; to Fourteen Lieutenants in any Regiment consisting of more than Six and less than Nine Companies; and to Nine Lieutenants in any Regiment, Battalion or Corps, consisting of Six or of a less Number of Companies.

IX. And be it further enacted, That in case in any Regiment, Battalion or Corps of the Militia, at the Time of disembodiment thereof, there shall happen to be a greater Number of Lieutenants coming within the Descriptions of this Act, than can be entitled to claim the Benefits thereof, within the true Intent and Meaning of the foregoing Proviso, the Senior Lieutenants of such Number shall always be preferred, and shall be alone entitled to demand and receive the above mentioned Allowances; and that the junior Lieutenants shall succeed to such Allowances in Rotation, as Vacancies may happen among the said Senior Lieutenants from time to time.

Senior Lieutenants to have the Preference.

X. And be it further enacted, That this Act shall continue in force until the Twenty fifth Day of *March* One thousand eight hundred and eleven, and no longer.

Continuance of Act.

C A P. XCIII.

An Act for the improving and completing the Harbour of *Holyhead* in the Isle of *Anglesea*. [15th June 1810.]

‘ WHEREAS the Port and Harbour of *Holyhead*, in the Island of *Anglesea*, is a Station for His Majesty’s Packets to and from *Ireland*, from and to *Great Britain*; and the improving and completing the said Port and Harbour will be highly beneficial in promoting the Intercourse between His Majesty’s Subjects in *Great Britain* and *Ireland*: And whereas it is expedient, that Commissioners should be appointed to carry into Effect all such Plans as may be found necessary for the completing and improving the said Harbour:’ Be it therefore enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Members for the County of *Anglesea*, and Town of *Beaumaris*, and the resident Minister of the Parish of *Holyhead*, all for the time being; and also the Right Honourable *Henry William Paget* commonly called *Lord Paget*, *Sir John Thomas Stanley* Baronet, *Sir Robert Williams* Baronet, *Sir John Bulkeley* Knight, *Owen Williams* of *Llaneden*, *Owen Putland Meyrick* of *Bodorgan*, *Paul Panton* of *Plâsgwyn*, *Sir William Hughes* of *Plâscock*, *Jones* of *Llynnon*, *Holland Griffith* of *Carreglwyd*, *Griffith*, *Edward Stanley* of *Penrhos*, *John Jones* of *Penrhos*, *William Peacock* Esquires, and *Hugh Wynne Jones* of *Tre-jorworth* Clerk, shall be, and they are hereby appointed Commissioners

Commissioners appointed.

for executing this Act, and the said Commissioners shall be, and they are hereby authorized and empowered to carry into Execution this Act, and to do all such Matters and Things under the Regulations of this Act for the completing and improving of the said Harbour, as the said Commissioners or any Three of them shall think requisite and necessary, and the said Commissioners shall from time to time meet in the Parish of *Holyhead* for the Purposes of this Act, and at all such Meetings, in case of an Equality of Voices, the Chairman shall have a casting Vote.

Vacancies to be filled up.

II. And be it further enacted, That in case of any Vacancy or Vacancies by Death or Resignation of any One or more of the said Commissioners, it shall and may be lawful for His Majesty to nominate and appoint such Person or Persons as he may think proper to supply such Vacancy or Vacancies, and that every Person so nominated and appointed shall be held and considered to be invested with all such Powers as are by this Act given to any Commissioner appointed by this Act in whose Room such Person or Persons shall be nominated and appointed.

Plans for making Roads, and for completing Harbour.

III. And be it further enacted, That the Commissioners for carrying into Execution this Act or any Three of them shall, from time to time, and they are hereby authorized, empowered and required to propose, assign and lay out Plans for the making, repairing, altering, clearing away, pulling down or rebuilding any Roads, Houses, Offices or Places, Banks, Holes or Shallows, which such Commissioners shall think proper and necessary to be made, repaired, altered, pulled down or rebuilt for the Purposes of this Act, and also Plans for the completing and improving of the said Harbour and Port, and for the making and keeping in Repair of such Roads, Ways, Piers, Jetties, Works and other Erections and Buildings, as they shall think proper and necessary for the Purposes of this Act; and the said Commissioners shall also propose, assign and lay out Plans of the manner in which Houses and Buildings shall be erected and built on any Ground, which is, or shall, or may become vested in His Majesty, his Heirs or Successors for the Purposes of this Act, and also in what manner any vacant Ground, on which the said Commissioners shall not think proper that any Houses or Buildings should be erected or built, shall be employed and laid out.

To be submitted to the Treasury.

IV. And be it further enacted, That all such Plans to be from time to time proposed by the said Commissioners for the Execution of this Act shall by the said Commissioners be laid before and submitted to the Lord High Treasurer, or to the Commissioners for executing the Office of Lord High Treasurer of *Great Britain* for the time being; and it shall be lawful for the said Lord High Treasurer or Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them, to examine and consider of such Plans, and to determine upon and improve the same, or to make any Alterations therein respectively, and to direct either that such Plans and Regulations respectively shall be carried into Execution, or shall be suspended or laid aside, or shall be varied or altered in Part, or in the Whole, as such Lord High Treasurer, or Commissioners for executing the said Office of Lord High Treasurer, shall think fitting and expedient; and the said Lord High Treasurer or Commissioners for executing the said Office of Lord High Treasurer shall give Notice in Writing under the Hand of the said Lord High Treasurer,

Treasurer, or the Hands of any Three of the said Commissioners for executing the said Office of Lord High Treasurer, of such their Approbation or other Determination respectively, to the Commissioners for executing this Act, and the said Commissioners for executing this Act shall proceed to carry into Effect all such Plans as shall be approved of or directed by the said Lord High Treasurer, or any Three of the Commissioners for executing the Office of Lord High Treasurer, and such Plans shall be carried into Effect, and such Roads, Ways, Piers, Jetties, Works, and other Erections and Buildings, shall be proceeded upon by the said Commissioners for executing this Act or any Three of them accordingly.

V. And be it further enacted, That after such Plans shall have been proposed and approved as aforesaid, it shall be lawful for the Commissioners for the Execution of this Act, or such Person or Persons as they shall by any Writing or Writings under their Hands and Seals nominate and appoint, and their Agents, Officers, Workmen and Servants; and they are hereby authorized, empowered and required to deepen, cleanse and scour the said Port and Harbour of *Holyhead*, and to contract and lessen the Mouth or Entrance thereof, and to build such Pier or Piers, Quay or Quays, Jetty or Jetties, and to make and effect such other Works as shall be necessary for improving, completing and preserving the said Port and Harbour, and for that Purpose to dig, take up, remove and carry away any Rocks, Stones, Soil, Sand, Gravel, Rubbish or other gross Matter, which shall obstruct, prejudice or hinder the Navigation of the said Port and Harbour, or the Improvement thereof, and to cast, lay and lodge the same behind such Pier or Piers, Quay or Quays, Jetty or Jetties, as shall be requisite for effecting the Purposes of this Act, be it the Ground or Soil of any Person or Persons, Bodies Politick or Corporate whomsoever, and also to dig, cut, remove and take away all Beds of Gravel, Sand, Stones, or any other Obstructions or Impediments whatsoever, which may any way obstruct the said Port and Harbour, or the Improvement or Use thereof; and also to build, erect, set up and make in the said Port and Harbour, or upon the Lands adjoining or near the same, such Quays, Wharfs, Jetties, Works, Erections and Buildings, as and where the said Commissioners shall think proper and necessary, for the carrying on, completing, improving, maintaining and preserving the said Port and Harbour, and rendering the same safe and commodious for His Majesty's Packets, and all other Ships and Vessels repairing thither; and also to make, amend, widen, turn, alter or enlarge any Roads, Ways, Passages, or other Conveniences, as the said Commissioners shall think proper and necessary, for the carrying and conveying of all Sorts of Materials to and from the said Port and Harbour, and also to carry and convey the same in, over, and upon any Lands or Grounds in order to the making, carrying on, perfecting and improving and finishing of the said Piers, Quays, Wharfs, Jetties, Works, Erections and Buildings, and for altering, repairing and maintaining the same; and also to lay, work and manufacture the said Materials upon the Ground, near to the Place or Places where the said Works, or any of them, shall be, or are intended to be made, erected or done; and also to get, dig, take and carry away Soil, Sand, Rock, Clays, Gravel and other Materials proper, requisite and convenient for making, carrying on, altering and continuing the said Works and Undertakings in or from

Harbour to be deepened, Piers, Quays, &c. erected.

Materials may be taken, making Satisfaction for Damages.

any Ground of any Person or Persons adjoining or lying contiguous to the said Port or Harbour (not then being Ground whereon any House stands, nor having been for the Space of Twelve Calendar Months then next immediately preceding an Orchard, Pleasure Ground or planted Walk or Avenue to a House); and also to make, complete and maintain all and every or any such Ways and Roads whatever, as and where the said Commissioners shall think requisite and convenient for the Purposes of this Act; and also to do and perform all other Works, Matters and Things; which shall be necessary or proper for the improving and completing of the said Port and Harbour, and rendering the same safe and commodious; and for executing the Purposes of this Act, they the said Commissioners, and the other Persons hereby empowered to perform the said Works and Things, doing as little Damage as may be to and upon the Premises, and giving or tendering such Satisfaction to the Owners and Occupiers of and Persons interested in any Lands, Tenements or Hereditaments respectively, for any Damage that may happen or be occasioned to such Lands, Tenements or Hereditaments, as the said Commissioners shall for that Purpose order, adjudge, direct or appoint, according to the Tenor and true Meaning of this Act; and in case of any Difference or Dispute concerning such Damages, or the Quantum thereof, the same shall be settled and determined in the manner by this Act provided with respect to the Value of Land or Premises taken or used for the Purposes of this Act.

Commissioners
with Consent of
Treasury may
purchase Lands.

VI. And be it further enacted, That it shall and may be lawful for the Commissioners for the Execution of this Act, or any Three of them as aforesaid, and they are hereby authorized and empowered by and with the Consent and Approbation in Writing of the Lord High Treasurer of *Great Britain*, or of the Commissioners for executing the Office of Lord High Treasurer, or any Three of them, to purchase all such Land, Ground, Buildings, Houses, Hereditaments and Premises whatever as the said Commissioners for executing of this Act may, by and with the Consent and Approbation as aforesaid, think necessary to be purchased and employed for the Purposes of this Act; and all such Ground, Buildings, Houses and Premises whatever which shall be purchased under or by virtue of this Act, shall, when so purchased, be vested in His Majesty, his Heirs and Successors, and shall be taken possession of, and shall be employed for the Purposes of this Act, according to the Directions of the Commissioners for executing this Act, under the Regulations in this Act mentioned and contained.

Contracts for tak-
ing down Houses
and disposing of
Materials.

VII. And be it further enacted, That it shall and may be lawful for the Commissioners for executing this Act, or any Three of them from time to time to direct or contract for the taking down any Houses or Buildings which shall be purchased under this Act, and for the selling and disposing of the Materials of all such Houses and Buildings; and also to contract for the granting, leasing, selling or disposing of, and to grant, lease, sell and dispose of any Part of any Lands, Tenements and Hereditaments, which shall be purchased under this Act, and which shall not be necessary for the Purposes of this Act; and all such Materials, and all Money arising from the Sale thereof, and all Money arising from the Produce of the Rent, or from the Sale of any such Lands, Tenements and Hereditaments, shall be and are hereby vested in the said Commissioners for executing this Act,

Surplus Land
may be sold or
let.

Act, and all such Money (after paying and deducting the necessary Expenses of pulling down such Houses and Buildings, and of the Sale of the Materials thereof, or of the Sale of such Lands, Tenements and Hereditaments) shall and may be disposed of and applied under the Direction of the said Commissioners in and towards the Purposes of this Act, as the said Commissioners (or any Three of them as aforesaid) shall think fitting and expedient; and the said Commissioners for the Execution of this Act shall, from time to time, render and give an Account to the Lord High Treasurer of *Great Britain*, or to the Commissioners for executing the said Office of Lord High Treasurer of the Amount of all Money received by the said Commissioners for executing this Act, and of the Application thereof for the Purposes of this Act, in manner aforesaid; and the said Lord High Treasurer or Commissioners for executing the said Office of Lord High Treasurer shall, and he and they is and are hereby authorized and required to examine every such Account; and in case they shall approve thereof, to signify such their Approbation in Writing at the Foot of such Account, signed by the said Lord High Treasurer, or by the said Commissioners for executing the said Office of Lord High Treasurer, or any Three of them, and to transmit and return the same so approved to the said Commissioners for executing this Act; and every Account so approved and signed as aforesaid shall be a full and sufficient Discharge of the said Commissioners for the Execution of this Act, from or on account of all such Sums of Money as shall be mentioned in any such Account, and for the Expenditure and Application thereof; and the said Commissioners for executing this Act shall not be compelled or compellable to give or render any further or other Account of any such Money, or of the Expenditure or Application thereof, any Law, Usage or Custom to the contrary notwithstanding.

Commissioners to
account to Treas-
ury.

VIII. And be it further enacted, That if any Person or Persons seized or possessed of or interested in any Ground, Houses, Buildings, Lands, Tenements, Hereditaments and Premises, which shall be deemed necessary to be purchased by the Commissioners appointed under this Act, shall refuse to treat or agree for the Sale thereof, or shall not agree in the Sum of Money offered to be given for the same, or shall not or cannot produce a clear Title to the Premises they are in Possession of, or the Interest they claim therein, that then and in every such Case, it shall be lawful for the said Commissioners, or any Three of them, by Writing under their Hands, to require the Sheriff of the County of *Anglesea*, who shall thereupon and is hereby authorized and required to impanel, summon and return a competent Number of substantial and disinterested Persons, qualified to serve as Juries †, not less than Twenty four, nor more than Forty eight, and out of such Persons so to be impanelled, summoned and returned, a Jury of Twelve Men shall be drawn by some Person to be by the said Commissioners, or any such Three of them, appointed in such manner as Juries for the Trial of Issues joined in His Majesty's Courts at *Westminster*, are by an Act made in the Third Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for the better Regulation of Juries*, directed to be drawn; which Persons so to be impanelled, summoned and returned as aforesaid, are hereby required to come and appear before the said Commissioners, or any such Three of them, at any such Time and Place as in such Sum-

In what case
Purchase Money
settled by Jury.

Number.

† Sic.

8 G. 2. c. 25.

mons

Proceedings of
Commissioners
and Jury in as-
certaining the
Value of Pre-
mises.

mons shall be appointed, and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not be at Liberty to challenge the Array; and the said Commissioners, or any Three of them, are hereby authorized and empowered from time to time, as Occasion shall require, to call before them all and every Person and Persons whomsoever, who shall be thought proper and necessary to be examined as a Witness or Witnesses on his, her or their Oath or Oaths, touching or concerning the Premises, and the said Commissioners, or any such Three of them, if they think fit, shall and may likewise authorize the said Jury to view the Place or Places or Premises in Question, in such manner as they shall direct, and the said Jury upon their Oaths (which Oaths, as also the Oaths of such Person or Persons as shall be called upon to give Evidence, the said Commissioners, or any Three of them, are hereby empowered and required to administer) shall enquire of the Value of such Ground, Houses, Buildings, Lands, Tenements or Hereditaments, and of the proportionable Value of the respective Estates and Interests of all and every Persons and Person seised or possessed thereof, or interested therein, or of or in any Part or Parts thereof, and shall assess and award the Sum or Sums of Money to be paid to such Person or Persons, Party or Parties respectively, for the Purchase of such Ground, Houses, Buildings, Lands, Tenements or Hereditaments, and of such respective Estates and Interests therein; and also for Good-will, Improvements, or any Injury or Damage whatsoever that may affect any such Person or Persons, Party or Parties, either as Leaseholder or Tenant at Will; and the said Commissioners, or any Three of them, shall and may give Judgment for such Sum or Sums of Money so to be assessed, which Verdict or Verdicts and the Judgment and Judgments, Determination and Determinations thereupon, shall be binding and conclusive to all Intents and Purposes whatsoever, against all and every Persons and Person claiming any Estate, Right, Title, Trust, Use or Interest, in, to or out of such Ground, Houses, Buildings, Lands, Tenements or Hereditaments and Premises in Possession, Reversion, Remainder or Expectancy, as well Infants and Issue unborn, Lunatics, Idiots and Females Covert, and Persons under any legal Incapacity or Disability, as all other *Cestuique* Trusts, their, his and her Heirs, Successors, Executors and Administrators, and against all other Persons whomsoever; and the said Verdicts, Judgments and Determinations, and all other Proceedings of the said Commissioners and Juries so to be made, given and pronounced as aforesaid, shall be fairly written on Parchment, and signed by the Clerk of the Peace for the time being of the County of *Anglesea*.

Verdicts binding.

On Payment of
Purchase Money,
Conveyance made.

In what case
Money paid
into the Bank,
subject to Order
of Court.

IX. And be it further enacted, That, upon Payment of any Sum or Sums so assessed to the Party or Parties to whom the same shall be so awarded, or on Tender thereof made at his, her or their Dwelling House, or if he, she or they shall have no Dwelling House, then at the House of some Tenant or Occupier of some Lands or Tenements of such Party or Parties near the said intended Works, he, she or they shall execute a Conveyance of the Premises which shall be so purchased to the said Commissioners, or any Three of them, for the Purposes of this Act; and in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid shall not be able to make a good Title to the Premises to the Satisfaction of the

the said Commissioners, or any Three of them, or shall refuse to execute such Conveyance or Conveyances, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements or Hereditaments, be not known or discovered, then and in every such Case as aforesaid, it shall be lawful to and for the said Commissioners, or any Three of them, to order the said Sum and Sums assessed and awarded for any Purchase Money, or in Recompence for any Damage as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Grounds, Houses, Buildings, Lands, Tenements or Hereditaments, [*describing them*]; subject to the Order, Controul and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered in a summary way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Publick Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereto, and to make such other Order in the Premises, as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum and Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

X. And be it further enacted, That immediately after paying such Purchase Money as aforesaid into the Bank, the said Ground, Houses, Buildings, Lands, Tenements and Hereditaments, in respect whereof the same shall have been so paid, shall vest in His Majesty, his Heirs and Successors, for the Purposes of this Act, who shall be deemed in Law to be in the actual Possession thereof, to all Intents and Purposes whatsoever, freed and discharged from all former and other Estates, Rights, Titles, Interests, Claims and Demands whatsoever.

Premises vest in His Majesty.

XI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Ground, Buildings, Houses or Premises, purchased by virtue of this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick or Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Commissioners for executing this Act, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order, made upon a Petition, to be preferred in a summary way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Ground, Buildings, Houses or Premises, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other

How Purchase Money belonging to Corporations, &c. to be applied, if amounting to 200l.

other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Ground, Buildings, Houses or Premises, or affecting other Ground, Buildings, Houses or Premises, standing settled therewith, to the same or the like Uses, Intents or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested under the like Direction and Approbation of the said Court, in the Purchase of other Ground, Buildings, Houses or Premises, which shall be conveyed and settled to, for and upon such and the like Uses, Trusts, Intents and Purposes, and in the same manner as the Ground, Buildings, Houses and Premises, which shall be so purchased as aforesaid, stood settled or limited, or such of them as at the time of making such Conveyance and Settlement, shall be existing, undetermined and capable of taking Effect; and in the mean time and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pound *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities, shall, from time to time, be paid, by Order of the said Court, to the Person or Persons who would for the time being have been entitled to the Rents and Profits of the Ground, Buildings, Houses or Premises, so hereby directed to be purchased, in case such Purchase or Settlement were made.

How applied if
less than 200l.
and exceeding
20l.

XII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Ground, Buildings, Houses or Premises, purchased for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then, and in all such Cases, the same shall, at the Option of the Person or Persons for the time being entitled to the Rents and Profits of the Ground, Buildings, Houses or Premises, so purchased, or of his, her or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in manner hereinbefore directed, or otherwise the same shall be paid at the like Option to Two Trustees to be nominated by the Person or Persons making such Option, and approved of by Three or more of the said Commissioners for executing this Act, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties) in order that such Principal Money, and the Dividends arising thereon, may be applied in any manner hereinbefore directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

Trustees.

How applied if
less than 20l.

XIII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then, and in all such Cases, the same shall be applied to the Use of the Person or Persons who would for
the

the time being have been entitled to the Rents and Profits of the Ground, Buildings, Houses or Premises, so purchased, for the Purposes of this Act, in such manner as the said Commissioners for executing this Act or any Three or more of them shall think fit; or in case of Infancy or Lunacy, then to his, her or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

XIV. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Ground, Buildings, Houses or Premises, or of any Estate, Right or Interest in any Ground, Buildings, Houses or Premises, to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Ground, Buildings, Houses or Premises, at the time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Ground, Buildings, Houses or Premises, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery, and the Dividends or Interest of the said Bank Annuities, to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Ground, Buildings, Houses or Premises, or to some Estate or Interest therein.

In what case Persons in Possession deemed Owners.

XV. Provided always, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation entitled to any Ground, Buildings, Houses or Premises, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Ground, Buildings, Houses or Premises, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from time to time to be made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners for executing the Purposes of this Act out of such Purchase Money, and such Commissioners shall from time to time pay such Sums of Money thereout for such Purposes as the said Court shall direct.

Court of Chancery to order Expences of Purchases made under their Direction to be paid by Commissioners.

XVI. And be it further enacted, That the Commissioners for the Execution of this Act shall, on or before the Twenty fifth Day of *March* in every Year (or oftener if it shall seem fitting and expedient to the said Commissioners, or to the said Lord High Treasurer, or Commissioners for executing the said Office of Lord High Treasurer) make a Report in Writing to the said Lord High Treasurer of the Progress made in repairing, altering, pulling down and rebuilding of any Houses, Offices or Places, or in the laying out of any vacant Ground, or in the framing and executing of any Rules or Regulations under or by virtue of this Act, together with such Observations

Commissioners to make Annual Report to Treasury.

servations and Suggestions for the better effecting the Purposes of this Act, as the said Commissioners for executing this Act shall from time to time think requisite and necessary.

C A P. XCIV.

An Act for granting to His Majesty a Sum of Money to be raised by Lotteries. [15th June 1810.]

C A P. XCV.

An Act to enable the Corporation for preserving and improving the Port of *Dublin* to erect, repair and maintain Light Houses round the Coasts of *Ireland*, and to raise a Fund for defraying the Charge thereof. [15th June 1810.]

4 G. 1. (I.) c. 7. **W**HEREAS by an Act made in the Parliament of *Ireland*, in the Fourth Year of the Reign of His late Majesty King *George* the First, for the Purpose, among other Things, of vesting in His Majesty, the several Lands, Tenements and Hereditaments, wherever Light Houses were or should be built, Powers were given to certain Commissioners to be appointed under the said Act with respect to the building or repairing of Light Houses in *Ireland*:
 7 G. 3. (I.) c. 6. And whereas by an Act made in the Parliament of *Ireland*, in the Seventh Year of His present Majesty's Reign, to continue, amend and make more effectual the said recited Act, made in the Fourth Year of the Reign of His late Majesty King *George* the First, the Commissioners for Barracks in *Ireland* were empowered to carry into Execution the Powers of the said first recited Act, with respect to Light Houses: And whereas by an Act made in the Parliament of *Ireland*, in the Thirty sixth Year of His present Majesty's Reign, intituled, *An Act to empower the Commissioners of His Majesty's Revenue, with the Approbation of the Lord Lieutenant, to erect Light Houses around the Coasts of this Kingdom; and to levy a Tonnage Duty on all Shipping*, certain Provisions were made for
 36 G. 3. (I.) c. 18. the Purposes in the said Act mentioned: And whereas by an Act made in the Forty sixth Year of His present Majesty's Reign, intituled, *An Act to provide for the better Execution of the several Acts, Matters and Things under the Management of the Commissioners of Customs and Port Duties, and of the Commissioners of Inland Excise and Taxes in Ireland*, certain Powers were vested in the said Commissioners of Customs and Port Duties, to enable them to purchase Lands and Tenements for building Light Houses: And
 46 G. 3. c. 106. whereas certain Funds have been established in *Ireland*, towards the erecting, repairing and maintaining of the Light Houses round the Coasts thereof; and it is expedient, that the Management of the said Funds, and all Powers and Authorities relating to such Light Houses, should be vested in the Corporation for preserving and improving the Port of *Dublin*, and that the Charge of erecting, repairing and maintaining such Light Houses, should be further borne and defrayed by the Payment of a Duty on all Entries Inwards and Outwards, and Coastward in the several Ports of *Ireland*: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal,

poral, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, all and every the Powers and Authorities in and by the said hereinbefore recited Acts, or any of them, or by any Act or Acts for amending or continuing the same, or any of them, or in and by any other Act or Acts in force in *Ireland*, vested in or exercised by the said Commissioners of Barracks, or by the Commissioners of Revenue, or by the Commissioners of Customs and Port Duties, with respect to the erecting, building, rebuilding, repairing or maintaining of any Light House or Light Houses on or round the Coast of *Ireland*, and the Receipt and Management of all Light Houses, Dues, and other Duties and Funds now payable or appropriated in *Ireland*, for or in respect of the Erection, Repair or Maintenance of Light Houses, shall be and the same are hereby vested in and given to the Corporation for preserving and improving the Port of *Dublin*, and shall be had, used and exercised by the said Corporation, as fully and effectually, to all Intents and Purposes, as if all such Powers and Authorities were herein specially repeated and re-enacted, subject to the Provisions and Regulations in this Act contained.

Powers of recited Acts and of all Acts relating to Light House Duties vested in Corporation for improving Port of Dublin.

II. And be it further enacted, That from and after the passing of this Act, it shall and may be lawful for the said Corporation for preserving and improving the Port of *Dublin*, from time to time, to repair and maintain all and any Light Houses and Light House, and all and every of the Beacons, Marks and Signs for the Sea, standing and being in any Place or Places on or round or near the Coast of *Ireland*; and also that it shall and may be lawful for the said Corporation, by and with the Consent and Approbation of the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the time being, and by and with the Consent of the Lord High Treasurer of *Ireland*, or of the Commissioners for executing the Office of Lord High Treasurer, or any Three of them, and the said Corporation are hereby empowered with such Consent and Approbation, from time to time to build, erect, repair, maintain or cause or procure to be built, erected, repaired and maintained, any new or other Light House or Light Houses, in any Place or Places on or round or near the Coasts of *Ireland*; and also to alter the Light or Lights in any existing Light House or Light Houses, and to make, erect and set up such and so many new or other Beacons, Marks and Signs for the Sea, in such Place or Places of the Sea Shores, and Uplands near the Sea Coasts of *Ireland*, or Forelands of the Sea, for Sea Marks, as to them shall seem most meet, needful and requisite, whereby the Dangers may be avoided and escaped, and Ships the better come into their Ports without Peril; and all such Light Houses, Beacons and Sea Marks, to build, erect, repair and maintain at such Places, and in such manner, and of such Constructions and Dimensions as shall appear to the said Corporation to be expedient: Provided always, that whenever the said Corporation for preserving and improving the Port of *Dublin*, shall think it expedient to erect any new Light House, Beacon or Sea Mark, or to alter any existing Light House or Light Houses, or to erect or set up instead thereof, any new or other Light or Lights, Beacons or Sea Marks, on any of the said Coasts, the said Corporation shall make a Communication in Writing, of such their Intention, to the Master, Wardens and Assistants of the Guild, Fraternity or Brotherhood of the most Glorious and Undivided

Corporation empowered to repair Light Houses; and with Consent of Lord Lieutenant and Irish Treasury, to erect new Light Houses.

Previous to erecting new Light Houses or altering existing Lights, Corporation to communicate with Trinity House in England.

Undivided Trinity, and of *Saint Clement* in the Parish of *Deptford Strond*, in the County of *Kent*, in that Part of the United Kingdom called *England*, commonly called, "The Corporation of Trinity House (of *Deptford Strond*," and in such Communication, the said Corporation for preserving and improving the Port of *Dublin* shall state, or cause to be stated, to the said Corporation of Trinity House of *Deptford Strond*, the proposed Place, Situation and Scite of every such Light House, Beacon or Sea Mark, with the Reasons Grounds and Motives for the Selection thereof, and the Nature and Kind of the Light or Lights proposed or intended to be used and exhibited therein, with the intended Construction thereof, and also the Situation of any Beacon or other Sea Mark, which the said Corporation for improving the Port of *Dublin* shall deem requisite to be erected or set up, together with all such other Particulars, as shall or may be necessary to enable the said Corporation of Trinity House to judge and determine thereon; and shall also, upon the Requisition of the said Corporation of Trinity House, furnish and give to them all such further and other Information touching the same, or in relation thereto, as well in Writing as otherwise, as the said Corporation of Trinity House shall or may require; and upon any such Communication, or in case the said Corporation of Trinity House shall at any other time, or on any Occasion, think it requisite and proper so to do, as hereinafter mentioned, it shall and may be lawful for the said Corporation of Trinity House, within Six Calendar Months after the Receipt of such Communication, or at such other times as they shall think fit, to suggest to the said Corporation for preserving and improving the Port of *Dublin*, any Alterations, Improvements or Amendments, either in relation to the Scite and Situation of any such Light House, Beacon or Sea Mark, or of the Plan or Construction thereof, or the Light or Lights set up and used, or to be set up, used and exhibited therein, for the Purpose of rendering and making the same of the fullest and utmost practicable Use and Benefit to Navigation; and in order that the same may thereby be and become perfectly and completely distinguishable from any of the Light Houses on any Part of the Coasts of *England*, *Wales* or *Scotland*; and moreover to make and give all or any such other Suggestions respecting any such Light House, Beacon or Sea Mark, as to the said Corporation of Trinity House shall seem fitting and necessary, and the same, if approved by the said Commissioners for improving the Port of *Dublin*, (subject nevertheless to the Powers herein given to the Lord Lieutenant or other Chief Governor, and to the Lord High Treasurer and Commissioners for executing the Office of Lord High Treasurer of *Ireland* in that behalf,) be binding and conclusive, and shall in all Respects, subject as aforesaid, be conformed to and carried into Execution: Provided always, that if the said Corporation of Trinity House shall not, within such Six Calendar Months after any such Communication, to be made to them as aforesaid, make or propose any such Suggestions as aforesaid, to the said Corporation for preserving and improving the Port of *Dublin*, then, and in such Case, the same shall be considered and taken to be approved of or acquiesced in by the said Corporation of Trinity House; and thereupon it shall and may be lawful for the said Corporation for preserving and improving the Port of *Dublin*, by and with such Consent and Approbation as aforesaid, to proceed in the erect-
ing

Trinity House
may within Six
Months suggest
Improvements,
&c.

If Trinity House
make no Sug-
gestions within
Six Months,
the Plan com-
municated to
them may be
proceeded on,
with Consent of
Lord Lieutenant
and Treasury.

ing and building of any such new Light House or Light Houses, Beacons or Sea Marks, or in the altering any existing Light, as the Case may be, according to such Plan and Communication as shall have been made to the said Corporation of Trinity House as aforesaid: Provided also, that from time to time and at all Times and on all Occasions, whenever the said Corporation of Trinity House shall deem or think it requisite to make and communicate any Suggestion or Representation whatever to the said Corporation for improving the Port of *Dublin*, on the Subject of or in relation to any new Light House or Light Houses, Beacons or Sea Marks, or on the Subject of or in relation to any of the existing Light Houses, Beacons or Marks for the Sea on or near the Coasts of *Ireland*, or towards the Improvement thereof, or for rendering the same more effectual for the Safety of His Majesty's Ships, or of those engaged in Commerce, or in His Majesty's Service, or shall transmit any Complaint which shall or may at any time be made to the said Corporation of Trinity House, in relation to the Insufficiency or Defectiveness of any of the said Lights, Beacons or Marks for the Sea, then the said Corporation for preserving and improving the Port of *Dublin* shall, without Delay, transmit a Copy of every such Suggestion, Communication, Representation or Complaint to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or his or their Chief Secretary, and also to the Lord High Treasurer of *Ireland*, or the Commissioners for executing the Office of Lord High Treasurer of *Ireland*; and that it shall and may be lawful for the said Lord Lieutenant or other Chief Governor or Governors, and also to and for the said Lord High Treasurer or Commissioners for executing the said Office, or any Three of them, to make and give such Orders and Directions to the said Corporation for preserving and improving the Port of *Dublin*, with respect to any such Suggestions, Communications and Representations or Complaints, and in relation to the Matters and Things therein contained or referred to, as to the Lord Lieutenant or other Chief Governor or Governors, or to the Lord High Treasurer or Commissioners aforesaid, or any Three of them, shall seem fitting and expedient; and the said Corporation for preserving and improving the Port of *Dublin* shall in all Things conform to and obey all such Orders and Directions as last mentioned, and shall proceed and act therein accordingly.

Suggestions of Trinity House to be referred to Lord Lieutenant, &c.

III. And, in order to defray the Expence of making the necessary Purchases, and of building, erecting, repairing, fitting up, completing and keeping in Repair the several Light Houses, Beacons and Sea Marks to be erected, built or repaired under or by virtue of this Act, and of the Lights therein, Be it further enacted, That from and after the passing of this Act there shall be payable and paid to the Use of the said Corporation for preserving and improving the Port of *Dublin* for the Purposes of this Act, from the Owners or Masters of all Vessels entering, coming into, or going out of, or entering into or using any Port or Ports in *Ireland*, all and every such Light House Dues and other Rates and Duties for and in respect of Light Houses as are now payable by the Owners or Masters of such Vessels at any Port or Place in *Ireland*, in such manner and to such Amount only as shall have been paid and levied at any such Port or Place respectively, at any time within Seven Years next preceding the passing of this Act; and that from and after the passing of this Act, there shall

Former Light House Duties paid to Corporation.

And additional Duties.

Duties collected
by Officers of
Customs.

also be payable and paid to the Use of the said Corporation for preserving and improving the Port of *Dublin* for the Purposes of this Act, over and above all other Rates and Duties now payable or paid as aforesaid, the Rates and Duties following; (that is to say) upon every Entry Inwards and on every Entry Outwards made in any Port in *Ireland*, and on every Entry, Cocket or Warrant, for shipping any Goods, Wares or Merchandize, inwards or outwards, or from any Port in *Ireland*, to any other Port therein, over and above all other Duties on every such Entry, Cocket or Warrant the Sum of Six pence *British* Currency; all which said Duties shall and may be levied, collected and received by the Commissioners of Customs and Port Duties in *Ireland*, or their Officers, in like manner and with like Authority, and with like Remedy for Recovery of the same, as are by Law given to the said Commissioners of Customs and Port Duties and their Officers, for the collecting, levying and recovering of any Duty of Customs, or any Duties or Entries, Inwards or Outwards, in any Port of *Ireland*; and the said Duties shall, from time to time, be paid over by Order of the said Commissioners of Customs and Port Duties to the said Corporation for preserving and improving the Port of *Dublin*, or to such Person for their Use as the said Corporation shall direct, at such time and in such manner as the Commissioners for executing the Office of Lord High Treasurer of *Ireland*, or any Three of them, shall order and direct; and the said Duties, when so paid over to the said Corporation, shall by them be applied to the Purposes of this Act.

Proviso for Ships
of War and
Fishing Vessels.

IV. Provided always, and be it further enacted, That this Act shall not extend to charge with the said Rate or Duty any of His Majesty's Ships of War, nor any Ship or Vessel whatever, being the Property of His Majesty, his Heirs or Successors, or of the Royal Family; nor any Fishing Vessels, Smacks or Boats; any thing hereinbefore contained to the contrary notwithstanding.

Powers of Act
26 G. 3. (I.)
c. 19. applied
to this Act.

V. And be it further enacted, That all the Powers and Provisions contained in an Act made in the Parliament of *Ireland* in the Twenty sixth Year of His present Majesty's Reign, intituled, *An Act for promoting the Trade of Dublin by rendering its Port and Harbour more commodious*, whereby the said Corporation for preserving and improving the Port of *Dublin* is empowered or authorized to purchase and acquire any Land, Tenements or Hereditaments for the Purposes of the said last recited Act, and whereby the said Corporation is required to account before the Commissioners of Imprest Accounts for the Disposition of the Funds under their Management by virtue of the said recited Act; and all and every Act and Acts for amending the said recited Act of the Twenty sixth Year aforesaid, in respect to the Matters and Things aforesaid, shall be applied in the Execution of this Act, so far as the same are applicable to the Purposes of this Act, as fully and effectually, to all Intents and Purposes whatsoever, as if the same were repeated and re-enacted in this Act.

C A P. XCVI.

An Act to amend an Act passed in this Session of Parliament, intituled, *An Act for increasing the Rates of Subsistence to be paid to Innkeepers and others on quartering Soldiers.*

[20th June 1810.]

‘ **W**HEREAS an Act passed in the present Session of Parliament’ 50 G. 3. c. 28.
 ‘ intituled, *An Act for increasing the Rates of Subsistence to be*
 ‘ *paid to Innkeepers and others on quartering Soldiers:* And whereas
 ‘ the Rules prescribed for furnishing Soldiers with Diet and Small
 ‘ Beer are in many Instances become from the high Price of Provi-
 ‘ sions inadequate, and are productive of Distress to such Innholders
 ‘ and others; and it is therefore expedient that further Provisions
 ‘ should be made for regulating the Quantities of Diet and Small
 ‘ Beer to be furnished to the Soldiers, and the Sums to be allowed for
 ‘ the same:’ May it therefore please Your Majesty, that it may be
 enacted, and be it enacted by the King’s Most Excellent Majesty,
 by and with the Advice and Consent of the Lords Spiritual and
 Temporal, and Commons, in this present Parliament assembled, and
 by the Authority of the same, That from and after the Twenty fifth
 Day of *June*, One thousand eight hundred and ten, every Non-com-
 missioned Officer and Private Soldier, who shall be furnished with
 Diet and Small Beer within the Parts of the United Kingdom men-
 tioned in the said recited Act, by the Innholders or other Persons on
 whom such Non-commissioned Officers or Private Soldiers shall be
 quartered and billeted by virtue of the said Act, shall pay and allow
 for the same, the Sum of Eight pence *per Diem*, instead of One
 Shilling and Four pence *per Diem* as is in the said recited Act speci-
 fied; and that for such Allowance of Eight pence, the Innkeeper or
 other Person shall furnish One Meal, *videlicet*; a hot Dinner if re-
 quired in each Day to each Non-commissioned Officer, Trumpeter,
 Drummer and Private Soldier quartered and billeted on him, to
 consist of such Quantities of Diet and Small Beer as shall be speci-
 fied and fixed in and by any Regulations made or to be made from
 time to time by His Majesty in that Behalf, but not to exceed One
 Pound and a Quarter of Meat previous to being dressed, One Pound
 of Bread, One Pound of Potatoes or other Vegetables previous to
 being cooked, and Two Pints of Small Beer, and Vinegar, Salt and
 Pepper.

Instead of the Allowance of 1s. 4d. under re- cited Act, 8d. per Diem shall be paid to Inn- keepers for pro- viding a Dinner.

II. And be it further enacted, That the Provisions, Powers, Pe-
 nalties, Forfeitures, Clauses, Matters and Things in the said Act, and
 of another Act passed in the present Session of Parliament, for punish-
 ing Mutiny and Desertion; and for the better Payment of the Army
 and their Quarters, shall be applied for the enforcing such Regulations
 as to the Diet of Soldiers and the Payment of and accounting for
 the Allowances for the same, as if the same were repeated and re-
 enacted in this Act, and the said First recited Act and this Act
 shall be construed as One Act.

Powers of recited Act, and Mutiny Act, c. 7. extend- ed to this Act.

C A P. XCVII.

An Act to continue until the Fifth Day of *July* One thousand eight hundred and eleven, and to amend several Acts for granting certain Rates and Duties, and for allowing certain Drawbacks and Bounties on Goods, Wares and Merchandize imported into and exported from *Ireland*; and to grant to His Majesty until the said Fifth Day of *July* One thousand eight hundred and eleven, certain new and additional Duties on the Importation, and to allow Drawbacks on the Exportation of certain Goods, Wares and Merchandize into and from *Ireland*. [20th *June* 1810.]

‘ Most Gracious Sovereign,

45 G. 3. c. 13.

46 G. 3. c. 62.

47 G. 3. Sess. 1.
c. 81.

47 G. 3. Sess. 2.
c. 16.

47 G. 3. Sess. 2.
c. 18.

48 G. 3. c. 12.
130.

49 G. 3. Sess. 2.
c. 10.

48 G. 3. c. 80.

49 G. 3. c. 74.

‘ **W**HEREAS an Act was made in the Forty fifth Year of His present Majesty’s Reign, intituled, *An Act for granting unto His Majesty until the Twenty fifth Day of March One thousand eight hundred and six, certain Rates and Duties, and to allow certain Drawbacks and Bounties upon Goods, Wares and Merchandize imported into and exported from Ireland, in lieu of former Rates and Duties, Drawbacks and Bounties*: And whereas an Act was made in the Forty sixth Year of His present Majesty’s Reign, intituled, *An Act for granting unto His Majesty until the Twenty ninth Day of September One thousand eight hundred and six, certain Duties on the Importation, and to allow certain Drawbacks and Bounties on the Exportation of certain Sorts of Iron, Sugar and Tea, into and from Ireland*: And whereas an Act was made in the Forty seventh Year of His present Majesty’s Reign, to repeal Part of the Duties on the Importation of unmanufactured Tobacco in *Ireland*: And whereas another Act was made in the Forty seventh Year of His present Majesty’s Reign, intituled, *An Act to grant to His Majesty until the Fifth Day of July, One thousand eight hundred and eight, certain Duties on the Importation and to allow certain Drawbacks on the Exportation of certain Goods, Wares and Merchandize, into and from Ireland*: And whereas another Act was made in the Forty seventh Year of His present Majesty’s Reign, to provide for the Decrease and Suspension, in certain Cases, of Part of the Countervailing Duty on *British* Refined Sugar imported into *Ireland*: And whereas such of the said recited Acts as were temporary have been from time to time continued by several Acts passed in the Forty sixth and Forty seventh Years of His present Majesty’s Reign, and by an Act passed in the Forty eighth Year of His present Majesty’s Reign the said recited Acts were amended and continued, and by an Act made in the last Session of Parliament the said recited Acts were further continued, and are in force until and upon the Fifth Day of *July* One thousand eight hundred and ten, and it is expedient that all the said recited Acts, and also the several Rates and Duties granted, and the Drawbacks and Bounties allowed by them, or any of them, should be further continued in manner hereinafter mentioned.’ May it therefore please Your Majesty that it may be enacted, and be it enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the Authority of the same, That the Rates

and Duties granted, and the Drawbacks and Bounties allowed by the said recited Acts or any of them, until and upon the Fifth Day of July One thousand eight hundred and ten, shall respectively continue and be in force throughout *Ireland*, upon and from and after the said Fifth Day of July One thousand eight hundred and ten, until and upon the Fifth Day of July One thousand eight hundred and eleven, except such Drawbacks and Bounties on the Exportation of Sugar of the *British* Plantations, and on refined Sugar under the said recited Acts or any of them, as are provided for by an Act made in the Forty seventh Year of His present Majesty's Reign, intituled, *An Act to provide more effectually for regulating the Drawbacks and Bounties on the Exportation of Sugar from Ireland, and for allowing British Plantation Sugar to be warehoused in Ireland until the Twenty fifth Day of March One thousand eight hundred and eight*, and which said last recited Act is by an Act passed in this present Session of Parliament continued to the Twenty fifth Day of March One thousand eight hundred and eleven, and amended, and that the said recited Acts, except as aforesaid, and so far as they are not altered or repealed by each other, or by this Act, or by any other Act, and all the Powers and Provisions, Articles, Clauses, Matters and Things contained in the said recited Acts, or any of them, shall be observed and complied with during the Time hereby granted, as fully and effectually as if the said Duties, Drawbacks and Bounties, and the Powers, Provisions Articles, Clauses, Matters and Things had been by the said recited Acts, or any of them, extended to the Term hereby granted, and as if the Term hereby granted had made Part of the said recited Acts, or any of them, and that the several Articles in respect whereof any Rate or Duty is granted or imposed or continued, or any Drawback or Bounty is allowed by the said recited Acts, or any of them, until and upon the Fifth Day of July One thousand eight hundred and ten, shall respectively be and remain liable to the Rates and Duties, and shall be entitled to the Drawbacks and Bounties (except as aforesaid) allowed in respect thereof under the Regulations and Provisions of the said recited Acts respectively, upon, from and after the Fifth Day of July One thousand eight hundred and ten, until and upon the Fifth Day of July One thousand eight hundred and eleven, according to the true Intent and Meaning of this Act.

II. And whereas the Commons of the United Kingdom of *Great Britain and Ireland* in Parliament assembled, towards raising the necessary Supplies granted to Your Majesty, and for the Support of Your Majesty's Government, have resolved to grant to Your Majesty several new and other Duties upon certain Goods, Wares and Merchandize imported into *Ireland*, and do most humbly beseech Your Majesty that it may be enacted, and be it therefore enacted, That from and after the passing of this Act, and during the Continuance of this Act, there shall be raised, levied, collected and paid unto and for the Use of His Majesty, his Heirs and Successors, in ready Money (except as hereinafter is provided) without any Discount whatever, upon the Importation of the several Goods, Wares and Merchandize mentioned and set forth in the Schedules hereto annexed, marked (A.) and (B.) imported into *Ireland*, the several Duties inserted, described and set forth in Figures in the said Schedules; and there shall also be paid and allowed the several Drawbacks in respect

Duties and Drawbacks of recited Acts continued till July 5, 1811, except Drawbacks and Bounties on Sugar, &c. provided for by 47 G. 3. Sess. 1. c. 19. &c. last continued by

50 G. 3. c. 17.

Duties and Drawbacks in Schedules (A.) and (B.) granted and allowed.

of the said Duties, as the same are also respectively inserted, described and set forth in Figures in the said Schedules, and that the said Duties in the said Schedule (A.) specified shall be in lieu and full Satisfaction of all Duties and Drawbacks payable in *Ireland* upon the Importation and Exportation of Goods, Wares and Merchandize of the like Sorts under or by virtue of any Act or Acts of Parliament in force in *Ireland* immediately before the passing of this Act, and that the said Duties in the said Schedule (B.) specified shall be in addition to all Duties on Wines imported into *Ireland* under or by virtue of any Act or Acts in force at the time of the passing of this Act.

Duties payable
on Goods not
entered, &c.

III. And be it further enacted, That the several and respective Duties by this Act granted on the Importation into *Ireland* of the Goods, Wares and Merchandize mentioned and set forth in the Schedules to this Act annexed, shall be charged and payable on all such Goods, Wares and Merchandize, as shall not have been entered on or before the passing of this Act, or on which the Duties due and payable on the Importation thereof shall not have been paid, notwithstanding such Goods, Wares and Merchandize may have been imported into *Ireland* before the passing of this Act.

and also on
Goods ware-
housed pursuant
to any Act.

IV. Provided always, and be it further enacted, That the Duties mentioned and set forth in the said Schedules shall be charged and payable on all such of the Goods, Wares and Merchandize therein mentioned as, having been imported into *Ireland*, shall have been or shall be warehoused, and shall remain at the time of the passing of this Act in Warehouses, in pursuance or by Authority of any Act or Acts of Parliament in force for that Purpose, although such Goods, Wares or Merchandize may have been imported before the passing of this Act: Provided always, that such Duties shall not be charged or payable on any such Goods, Wares or Merchandize until the Duties which such Goods, Wares and Merchandize shall have been subject to before the passing of this Act shall be payable.

What Wines
imported before
the passing of
this Act charged
with additional
Duty.

V. And be it further enacted, That all Wines which at any time before the Twenty eighth Day of *May* One thousand eight hundred and ten shall have been imported, the Duties payable upon the Import of which shall not have been duly paid and discharged, shall be considered as Wines remaining in His Majesty's Stores or Warehouses at the passing of this Act, and shall be charged accordingly, and the Proprietor thereof shall be subject to the additional Duties on the Importation thereof mentioned, contained and set forth in the Schedule or Table hereunto annexed marked (B.) over and above all former Duties payable on the same.

Additional Ex-
cise Duties on
Wines in Stock.

VI. And be it further enacted, That there shall be raised, levied, collected and paid unto and for the Use of His Majesty, his Heirs and Successors, for and upon all Wines which on or at any time after the Twenty eighth Day of *May* One thousand eight hundred and ten shall have been or shall be in the Stores or Warehouses, or in the Custody, Power or Possession of any Importer of or Dealer in, or Seller or Retailer of Wine in *Ireland*, and which shall have paid the Duties payable on the Importation thereof, under or by virtue of any Act or Acts in force in *Ireland* at the passing of this Act, the respective additional Duties of Excise following, that is to say; For and upon each and every Tun of *French* Wine, *Rhenish* Wine, and Wines of *Germany* and *Hungary*, the Sum of Eighteen Pounds and Eighteen Shillings;

Shillings; and for and upon each and every Tun of any other Sort of Wines not otherwise enumerated, the Sum of Twelve Pounds and Twelve Shillings, and so in proportion for any greater or less Quantity of such Wines respectively.

VII. And be it further enacted, That all the Duties and Drawbacks in this Act mentioned, and also the Duties and Drawbacks in the respective Schedules hereunto annexed, specified, mentioned and contained, shall be paid and payable, and received and receivable in *British* Currency; and that all the said Duties shall be carried to and made Part of the Consolidated Fund of *Ireland*; and that all the said Duties, and all Drawbacks in the said Schedules specified, mentioned and contained, shall be paid and received upon the several Articles and Things in this Act and the respective Schedules hereunto annexed, specified, mentioned and contained, according to the Tale, Weight, Gauge, Measure or Value of the said Articles respectively specified, and also in proportion upon any greater or less Number, Weight, Quantity, Measure or Value of such Articles, Matters and Things respectively.

Duties paid in British Currency, and carried to Consolidated Fund.

VIII. And be it further enacted, That the several Rates and Duties and Drawbacks hereby mentioned and granted and allowed, shall be raised, levied, collected and paid unto His Majesty, his Heirs and Successors, in the same manner and under such Powers and Authorities, and by such ways and methods, and under such Rules and Directions, and under such Penalties and Forfeitures as are appointed, directed and expressed for the raising, collecting, levying and paying, and managing of Duties and Drawbacks payable on Goods, Wares and Merchandize imported into and exported from *Ireland* in and by an Act of Parliament made in *Ireland* in the Fourteenth and Fifteenth Years of His late Majesty King *Charles* the Second, intituled, *An Act for settling the Excise or new Impost upon His Majesty, his Heirs and Successors, according to the Book of Rates therein inserted*, or in and by any other Act or Acts in force in *Ireland*, relating to the Revenue of Customs and Excise, or either of them, as fully and effectually, to all Intents and Purposes, as if the said Powers and Authorities, Rules and Directions, Penalties and Forfeitures, were herein expressed and enacted, with the like Remedy of Appeal to and for the Party or Parties aggrieved, as in and by the said Act passed in the Fourteenth and Fifteenth Years of the Reign of His late Majesty King *Charles* the Second, or in and by any other Act or Acts as aforesaid is provided.

Duties and Drawbacks under Regulation of

14 & 15 Car. 2. c. 8, &c.

Appeal.

IX. Provided always, and be it enacted, That in all Cases where the whole or any Part of the Duties on the Importation of any Goods, Wares and Merchandize into *Ireland* are permitted to be secured by Bond or otherwise, by virtue of any Act or Acts of Parliament in force in *Ireland* at the time of such Importation, the Duties by this Act and the Schedule thereto annexed, granted or imposed, may in like manner and under the same Rules, Regulations, Restrictions and Conditions, be permitted to be secured by Bond or otherwise.

Additional Duties secured by Bond.

X. And, for ascertaining the Stock of all Foreign Wines belonging to all Merchants, Importers of, Factors and Dealers in, or Sellers or Retailers of Foreign Wines on or at any time after the Twenty eighth Day of *May* One thousand eight hundred and ten, and for securing the additional Duties by this Act imposed thereon, Be it

Importers, &c.
to deliver an
Account of
Stock to Col-
lector of Excise
of the District.

further enacted, That every such Importer of, Dealer in, Seller or Retailer of Foreign Wines in *Ireland*, who shall respectively have any such Wines in his, her or their Possession, in any Warehouse, Store Room, Shop, Cellar, Vault, or other Place, or in the Custody or Possession of any other Person for his, her or their Use, shall within Three Days after the Fifth Day of *July* One thousand eight hundred and ten deliver at the Office of the Collector of Excise of the District in which such Wine shall have been on the said Twenty eighth Day of *May* One thousand eight hundred and ten, or any other Day between that Day and the said Fifth Day of *July* inclusive, a just, true and particular Account in Writing of the Quantity of all the Foreign Wine which on the said Twenty eighth Day of *May* One thousand eight hundred and ten, or on any Day between that Day and the said Fifth Day of *July* One thousand eight hundred and ten inclusive, shall have so been in the Custody or Possession of such Dealer in, Seller or Retailer of Foreign Wine, in every such Warehouse or other Place, or in the Custody or Possession of any Person for his or her Use, describing the Places in which the same shall be, and the Situation thereof, and distinguishing such Foreign Wines from each other, according to the true Denomination thereof, as the same are hereinbefore described, and also distinguishing whether such Wines are Red or White; and all Wines in Bottles shall be accounted for according to the Number of Bottles, without expressing the Number of Gallons of Wine contained in such Bottles, but estimating the Number of such Gallons in the whole, by a fair Calculation made on the actual Content of any given Number of such Bottles, indifferently chosen; and every such Importer of, or Dealer in, or Seller or Retailer of Foreign Wine, shall make Oath, or if a Quaker a solemn Affirmation, before the Collector of Excise of the District, that such Account is a just, true and perfect Account of all such Wines as aforesaid, which Oath or Affirmation such Collector is hereby authorized to administer; and every such Importer, Dealer, Seller, Retailer, or other Person, who shall neglect to deliver, or cause to be delivered such Account, within the time aforesaid, and to make such Oath or Affirmation, or who shall deliver, or cause to be delivered, any false or untrue Account, shall forfeit the Sum of Two hundred Pounds, and all such Foreign Wines of which such Account shall not be delivered, or of which any false or untrue Account shall be delivered, shall also be forfeited, together with the Casks, Bottles, Jars, Vessels, Hogsheads and Packages containing the same respectively, and shall and may be seized by any Officer or Officers of His Majesty's Revenue in *Ireland*.

Penalty.

Officers of Ex-
cise may enter
Premises of
Wine Dealers,
and take Ac-
count of Stock.

XI. And be it further enacted, That for the Purposes of this Act it shall and may be lawful for any Officer or Officers of Excise, from time to time, to enter into all or any of the Warehouses, Storehouses, Rooms, Shops, Cellars, Vaults and other Places of any such Importer of or Dealer in, or Seller of Foreign Wine whether by Wholesale or Retail, and into any Place where any Wine belonging to any Importer of, Dealer in or Seller or Retailer of Wine shall be, and by tasting, gauging or otherwise, to take an Account of the Quantity and Quality of all Wine then and there found in the Custody of or belonging to any such Importer, Dealer, Seller or Retailer, in any Cask, or in any Vessel, except Bottles, and also to take an Account of all such Wine as shall be then and there found in Bottles,

Bottles, in any other manner than by tasting the same, or by uncorking or opening the Bottles containing such Wine, unless with the Consent of the Proprietor, for the Purpose of ascertaining the Number of Gallons therein in manner afore mentioned; and in case of Refusal of such Consent, each Bottle shall be deemed to contain the Quantity which its common Denomination of Pint, Quart, Two Quarts, and so forth, imports; and if any Officer or Officers of Excise shall not, on Demand made by him or them at any such Warehouse, Storehouse, Room, Shop, Cellar, Vault, or other Place, be admitted therein, or shall not be suffered to take an Account of all Wines in manner afore said, or if such Importer, Dealer, Seller, Retailer or Person having the Custody or Possession of such Wines, shall neglect or refuse to shew, or cause to be shewn to such Officer all the Wines in every such Warehouse or other Place respectively, such Person respectively, into or at whose Warehouse or other Place such Officer shall not be admitted, or shall not be suffered to take such Accounts respectively, and every such Person who shall refuse or neglect to shew, or cause to be shewn to such Officer all such Wines as afore said, shall, for every such Offence or Default respectively, forfeit the Sum of Two hundred Pounds.

Obstructing
Officers.

Penalty.

XII. And be it further enacted, That in case of any Dispute between the Officer of Excise and any such Importer of, or Dealer in or Seller of Foreign Wine, as to the Nature or Species of any particular Wine, and the Country of which it is the Growth or Manufacture, it shall and may be lawful for any Officer of Excise, and every such Officer is hereby authorized and empowered to take, at any time or times, a Sample or Samples, not exceeding One Quart of any such Foreign Wine, whether in Bottles or in Casks, or in any other Vessel or Vessels, paying for the Wine the usual Price thereof; and if such Officer or Officers shall not be permitted to take such Sample or Samples as afore said, upon his offering to pay for the same, after the Rate afore said, or shall in any wise be obstructed or hindered by any Person or Persons whatever in taking such Sample or Samples, the Importer of or Dealer in, or Seller or Retailer of such Wine, or other Person in whose Custody such Wine shall be, shall, for each and every such Offence, forfeit the Sum of One hundred Pounds.

In case of Dis-
putes, Officers
may take
Samples of
Wine, &c.

Obstructing.

Penalty.

XIII. And be it further enacted, That all and every such Officer and Officers of Excise who shall take such Account of such Wines, shall make a Return or Report of the same to the Collector of Excise of the District, and shall insert in such Return or Report the Amount of Duties hereby charged and payable thereon, and the Sums charged in such Return or Report shall be a Charge on such Importer of or Dealer in, or Seller or Retailer of Wine, or other Person or Persons who shall pay the said Duty accordingly, in case such Return or Report shall contain a greater Quantity of Wines than shall be comprised in the respective Accounts herein before directed to be returned by the Parties respectively to whom such Wine shall belong, otherwise the Account given by such Importer or other Person shall be and become a Charge on such Importer or other Person of such Duty on the Quantity of Wine contained in such Account, and such Importer or other Person shall pay the said Duty accordingly; and where no such Account shall have been returned by such Importer or other Person, the Return made by the Officer under this

Officers taking
an Account of
Wines to make
a Return to
Collector.Duties charged
accordingly.

this Act shall be a conclusive Charge on such Importer or other Person.

Bond for Pay-
ment of Duty on
Wine in Stock.

XIV. And be it further enacted, That it shall and may be lawful for any such Importer, Dealer, or other Person chargeable with the said additional Duties on Wines in respect of such Wines in his or her Stock or Possession, to give Security by Bond to His Majesty, with Two sufficient Sureties, to be approved of by the Collector of the District in which such Importer or other Person resides, which Bond such Collector is hereby authorized to take for His Majesty's Use, in a Penalty of not less than Double the Amount of the said additional Duties, conditioned that such Importer, Dealer or other Person shall pay the Amount of the said additional Duty on or before the Twenty fifth Day of *December* One thousand eight hundred and eleven, by Six equal Instalments, the First of such Instalments to be paid on the Twenty ninth Day of *September* One thousand eight hundred and ten, the Four succeeding Instalments on the Twenty fifth Day of *December* One thousand eight hundred and ten, the Twenty fifth Day of *March*, the Twenty fourth Day of *June*, and the Twenty ninth Day of *September* then next ensuing, and the Sixth and last Instalment on or before the said Twenty fifth Day of *December* One thousand eight hundred and eleven.

No Permit till
Duties paid.

XV. And be it further enacted, That if the Merchant, Importer of, Dealer in or Seller or Retailer of any such Wines shall have sold or shall sell the same, or any Part thereof, and shall be desirous of removing the same out of his Stock before Payment of the respective additional Duties by this Act imposed, no Permit shall be granted for the Removal thereof, unless the said additional Duties, and all Duties of Customs and Excise due on such Wine to be so removed, shall have been previously paid.

Discount for
prompt Payment.

XVI. And be it further enacted, That if any Importer, Dealer or other Person who shall be charged with or be liable to the additional Duties on Wine under this Act, shall pay the same or any Part thereof, before the Expiration of the respective Times when the same are by this Act required to be paid as aforesaid, every such Person shall be allowed as a Discount for prompt Payment a Sum out of such Duties, as such Importer, Dealer or other Person shall so pay, after the Rate of Six Pounds *per Centum per Annum* for such time as any Sum shall be paid before the time when the same is by this Act required to be paid.

Dealers may
charge additional
Duty to Buyer
before Delivery.

XVII. Provided also, and be it enacted, That if any Importer, Dealer or other Person who shall be charged with the additional Duties by this Act imposed upon any Wine in his or her Possession shall have sold or contracted to sell any such Wine to any Person or Persons, and shall not have delivered the same to the Buyer thereof, then, and in every such case, the Buyer of the said Wine shall not be entitled to claim the Delivery of such Wine without first paying the additional Duty which such Seller shall have been charged with or paid for such Wine under the Provisions of this Act.

Continuance of
Act.

XVIII. And be it further enacted, That this Act shall be and continue in force until and upon the Fifth Day of *July* One thousand eight hundred and eleven, and no longer.

Act may be
altered, &c.

XIX. And be it further enacted, That this Act may be altered, amended or repealed by any Act or Acts to be made in this present Session of Parliament.

The

The SCHEDULES to which this Act refers.

SCHEDULE (A.)

A SCHEDULE of the Net Duties payable on Importation into Ireland of the Goods, Wares and Merchandize therein enumerated and described (not being the Growth, Produce or Manufacture of Great Britain) and of the Drawbacks to be allowed on the due Exportation thereof from Ireland, in lieu of former Duties and Drawbacks on the like Articles.

SCHEDULE INWARDS.	Duties.			Drawbacks.		
	£.	s.	d.	£.	s.	d.
Almonds, the cwt. viz.						
—— Bitter	1	6	8	0	13	4
—— Jordan	4	0	0	2	0	0
—— In the Shell	1	10	0	0	15	0
—— Of any other Sort	2	0	0	1	0	0
Cider, the Tun of 252 Gallons	26	4	8	13	2	4
Cloves, the lb. viz.						
—— the Produce of, and imported from any British Colony or Plantation in America	0	2	0	—		
—— imported under Licence	0	4	8	0	2	4
Cocoa Nuts, the lb.	0	2	2	0	1	1
Corks, ready made, the lb.	0	3	0	—		
Currants, the cwt. viz.						
—— imported in Shipping of the United Kingdom	1	17	4	0	18	8
—— in Foreign Shipping	2	0	0	0	18	8
Figs, the cwt. viz.						
—— imported in Shipping of the United Kingdom	0	18	0	0	9	0
—— in Foreign Shipping	9	19	4	0	9	0
Ginger, viz.						
—— of the British Colonies or Plantations in the West Indies, Africa or America, the cwt.	0	19	4	0	9	8
—— not of the Produce of the British Colonies or Plantations, the cwt.	2	4	8	1	2	4
—— preserved, the lb.	0	2	8	—		
Lemons, imported in Shipping of the United Kingdom, the 1,000	0	16	4	0	8	2
—— imported in Foreign Shipping	0	17	4	0	8	2
—— pickled, the Tun, containing 252 Gallons	2	17	9	1	8	0
Liquorice Ball or Juice, the lb.	0	6	8	0	3	4
Nutmegs, candied, the lb.	0	6	8	0	3	4
—— the Produce of, and imported from any British Colony or Plantation in America, the lb.	0	3	0	—		
—— imported under Licence, the lb.	0	4	8	0	2	4
Oil, viz.						
—— of Almonds, the lb.	0	0	8	0	0	4
—— of Amber, the lb.	0	4	8	0	2	4
—— of Anniseed, the lb.	0	3	4	0	1	8
—— of Carraway Seeds, the lb.	0	2	0	0	1	0
—— of Castor, the lb.	0	1	0	0	0	6
—— of Cinnamon, the oz.	0	4	0	0	2	0

Oil,

SCHEDULE INWARDS.			Duties.			Drawbacks.		
			£.	s.	d.	£.	s.	d.
Oil, <i>continued</i> , viz.								
— of Cloves, the oz.	-	-	0	1	4	0	0	8
— of Hempseed, the Tun of 252 Gallons	-	-	26	7	6	—	—	—
— of Jessamine, the lb.	-	-	0	3	4	0	1	8
— of Juniper, the lb.	-	-	0	1	0	0	0	6
— of Linseed, the Tun of 252 Gallons	-	-	26	7	6	—	—	—
— of Mace, the oz.	-	-	0	1	8	0	0	10
— of Marjoram, the lb.	-	-	0	2	4	0	1	2
— of Nutmegs, the oz.	-	-	0	1	8	0	0	10
— of Oranges, the lb.	-	-	0	3	0	0	1	6
— Ordinary Oil of Olives, imported in Shipping of the United Kingdom, the Tun, containing 252 Gallons	-	-	12	8	0	6	4	0
— — — — — in Foreign Shipping, the Tun of 252 Gallons	-	-	13	3	9	6	4	0
— Palm Oil, the cwt.	-	-	0	5	4	0	2	8
— of Rapeseed, the Tun of 252 Gallons	-	-	26	7	6	—	—	—
— of Rosemary, the lb.	-	-	0	1	8	0	0	10
— Sallad Oil, imported in Shipping of the United Kingdom, the Gallon	-	-	0	3	9	0	2	0
— — — — — imported in Foreign Shipping, the Gallon	-	-	0	4	4	0	2	0
— of Sassafras, the lb.	-	-	0	2	0	0	1	0
— Seed Oil, not otherwise enumerated or described, the Tun of 252 Gallons	-	-	26	7	6	—	—	—
— of Thyme, the lb.	-	-	0	2	4	0	1	2
— of Turpentine, the lb.	-	-	0	0	6	—	—	—
— of Vitriol, the lb.	-	-	0	0	4	—	—	—
— of Walnuts, the Gallon	-	-	0	3	2	0	1	7
— all other Oils, being Chemical Oils, not otherwise enumerated or described, the lb.	-	-	0	3	0	0	1	6
— Oil or Blubber from Fish, the Tun of 252 Gals. viz.	-	-						
— Blubber of Newfoundland, of the fishing of the United Kingdom, or of Newfoundland fishing	-	-	0	13	2	—	—	—
— Oil of Newfoundland, the Tun of 252 Gallons	-	-	0	19	9	—	—	—
— Fish Oil, or Train Oil, of the fishing of the United Kingdom, the Tun of 252 Gallons	-	-	0	6	7	—	—	—
— — — — — of Foreign Fishing	-	-	26	7	6	—	—	—
— Spermaceti Oil, or Head Matter, of fishing of the United Kingdom, the Tun of 252 Gallons	-	-	0	6	7	—	—	—
— — — — — of Foreign Fishing	-	-	26	7	6	—	—	—
Oranges, viz.								
— imported in Shipping of the United Kingdom, the 1,000	-	-	0	16	4	0	8	2
— — — — — in Foreign Shipping, the 1,000	-	-	0	17	4	0	8	2
Pepper, the lb. viz.								
— Black or White, of the East Indies	-	-	0	1	8	—	—	—
— Cayenne Pepper	-	-	0	4	0	0	2	0
— Guinea Pepper	-	-	0	1	4	0	0	8
— Long Pepper	-	-	0	0	8	0	0	4

Pimento,

SCHEDULE INWARDS.			Duties.			Drawbacks.		
			£.	s.	d.	£.	s.	d.
Pimento, the lb. viz.								
— of the British Plantations	-	-	0	0	8	0	0	4
— not of the British Plantations	-	-	0	1	0	0	0	6
Raisins, the cwt. viz.								
— Belvidere Raisins, imported in Shipping of the United Kingdom	-	-	0	18	0	0	9	0
— — — — — in Foreign Shipping	-	-	0	19	0	0	9	0
— Denia Raisins, imported in Shipping of the United Kingdom	-	-	0	16	4	0	8	2
— — — — — in Foreign Shipping	-	-	0	17	4	0	8	2
— Faro Raisins, imported in Shipping of the United Kingdom	-	-	0	18	0	0	9	0
— — — — — in Foreign Shipping	-	-	0	19	0	0	9	0
— Lexia Raisins, imported in Shipping of the United Kingdom	-	-	0	18	8	0	9	4
— — — — — in Foreign Shipping	-	-	0	19	8	0	9	4
— Lipari Raisins, imported in Shipping of the United Kingdom	-	-	0	18	0	0	9	0
— — — — — in Foreign Shipping	-	-	0	19	0	0	9	0
— Smyrna Raisins, imported in Shipping of the United Kingdom	-	-	1	1	0	0	10	6
— — — — — in Foreign Shipping	-	-	1	2	0	0	10	6
— of the Sun, imported in Shipping of the United Kingdom	-	-	1	15	8	0	17	10
— — — — — in Foreign Shipping	-	-	1	16	8	0	17	10
— not otherwise enumerated or described, imported in Shipping of the United Kingdom	-	-	0	16	4	0	8	2
— — — — — in Foreign Shipping	-	-	0	17	4	0	8	2
Rice, the cwt.	-	-	0	6	4	0	3	2
Rosin, or Colophonia, the cwt. viz.								
— imported in Shipping of the United Kingdom	-	-	0	4	0	—	—	—
— — — — — in Foreign Shipping	-	-	0	4	8	—	—	—
— the Produce of any of the Dominions or Plantations belonging to the Crown of the United Kingdom	-	-	0	2	8	—	—	—
Silk, Organzine Thrown Silk, undyed; the lb. of 16 oz.	-	-	0	3	8	0	2	11
— Thrown, not organzined, dyed, the lb. of 16 oz.	-	-	0	9	1	0	8	4
— — — — — undyed, the lb. of 16 oz.	-	-	0	6	4	0	5	7
Tea, imported from Great Britain, for every 100l. of the Value thereof	-	-	93	0	0	89	10	0
Turpentine, viz.								
— Common, the cwt.	-	-	0	3	8	0	1	10
— of Venice, Scio or Cyprus, the lb.	-	-	0	0	8	0	0	4
— of Germany, or any other Place, not otherwise enumerated or described, the cwt.	-	-	1	2	0	0	11	0
Vinegar or Verjuice, the Tun of 252 Gallons	-	-	48	13	4	—	—	—
Wax, Bees Wax unmanufactured, the cwt.	-	-	2	16	0	1	8	0
— White or manufactured, the cwt.	-	-	5	4	0	2	12	0
— Hard Wax, the lb.	-	-	0	2	0	0	1	0
— Sealing Wax, for every 100l. of the Value	-	-	50	0	0	—	—	—

SCHEDULE (B.)

A SCHEDULE of the Additional Duties payable on the Importation into Ireland of the Goods, Wares and Merchandize therein enumerated or described (not being of the Growth, Produce or Manufacture of Great Britain) and of the Drawbacks to be allowed on the due Exportation thereof from Ireland.

	Duties.			Drawbacks.		
	£.	s.	d.	£.	s.	d.
W. e, the Tun of 252 Gallons, viz.						
— French, Rhemish, Germany and Hungary Wines	18	18	0	18	18	0
— not otherwise enumerated or described	12	12	0	12	12	0

C A P. XCVIII.

An Act for raising the Sum of Two hundred and sixteen thousand Pounds by Treasury Bills for the Service of *Ireland* for the Year One thousand eight hundred and ten.

[20th June 1810.]

“ *Irish* Treasury may issue Bills to a certain Extent to bear Interest. § 1. Bills issued not to exceed 216,000l. § 2. Bills, if not paid off, shall be taken in Payment of the Revenue in *Ireland*, after such time as the Treasury shall appoint; and Interest shall cease. § 3, 4. Money to be carried to the *Irish* Consolidated Fund. § 5. Bills to be chargeable thereon. § 6. Bank of *Ireland* may advance the Sum of 216,000l. on the Credit of this Act. § 7.

C A P. XCIX.

An Act to amend the several Acts relating to the making of Malt, and the granting of Permits and Certificates, and the Regulations of Braziers and of Persons employing more than one Still in *Ireland*.

[20th June 1810.]

“ **W**HEREAS it is expedient to amend the several Acts relating to the making of Malt in *Ireland*; Be it therefore enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Expiration of Ten Days after the Day of the passing of this Act, so much of an Act made in the Forty fifth Year of His present Majesty’s Reign, intituled, *An Act for the Collection of the Malt Duties in Ireland, and regulating the Trade of a Maltster*, as enacts or provides that any Corn or Grain making into Malt in the Malthouse of any Maltster or Maker of Malt, after the same shall be thrown out or ought to have been thrown out of the Couch Frame, shall remain on the Floor or Floors for the full Space of Ten Days at the least before the same shall be put on the Kiln; and also so much of the said recited Act as enacts or provides that Corn or Grain making into Malt shall be put on the Kiln

Kiln within Twenty one Days from the Day mentioned in the Notice for the wetting thereof, shall be and the same is and are hereby repealed.

II. And be it further enacted, That from and after the Expiration of Ten Days after the Day of the passing of this Act, if any Corn or Grain making into Malt in the Malthouse of any Maltster or Maker of Malt in *Ireland*, after the time when the same shall be thrown out, or ought by the Provisions of the said recited Act to have been thrown out of the Couch Frame, shall not remain on the Floor or Floors for the full Space of Eight Days at the least before the same shall be put on the Kiln, such Maltster or Maker of Malt shall forfeit the Sum of Ten Pounds; and that if any Corn or Grain making into Malt shall not have been put on the Kila within Eighteen Days from the Day mentioned in the Notice for the wetting thereof, all such Corn or Grain shall be considered as Malt, and the Maltster or Maker of Malt in whose Malthouse the same shall be found, shall be charged with Duty for the same, after the Rate of One Bushel of Malt for every Bushel of such Corn or Grain, and such Maltster or Maker of Malt shall forfeit the Sum of Twenty Pounds; which said several Penalties shall and may be recovered and applied in such and the like manner as any Penalties of the like Amount may be recovered and applied under the said last recited Act of the Forty fifth Year aforesaid, or any Act or Acts for amending the same.

Malt in making, to remain on the Floor a certain Time.

Penalty.

Penalty.

III. And be it further enacted, That from and after the Expiration of Ten Days after the Day of passing of this Act, it shall and may be lawful for the Commissioners of Inland Excise and Taxes in *Ireland*, or any Person or Persons appointed by the said Commissioners for that Purpose, to grant any Licence or Licences to any Person or Persons in *Ireland*, to keep any Malthouse, the working or drying Floor whereof shall not be less than One thousand and forty square Feet, and shall not exceed One thousand four hundred square Feet, any thing in the said recited Act of the Forty fifth Year aforesaid, or in any Act or Acts for amending the said recited Act, to the contrary notwithstanding: Provided always, that the Kiln Floor or Floors of every such Malthouse shall be in the like Proportions to the working or drying Floor or Floors therein as is directed and required by the said recited Act or Acts, or any of them, with respect to Malthouses, the working or drying Floors whereof are of the Dimensions in the said recited Acts mentioned: Provided also, that all such Licences shall be granted in manner and under the Regulations in the said recited Acts contained, except only so far as the same are altered by this Act.

Licences for Malthouses of certain Dimensions granted.

Provide.

Provide.

IV. And be it further enacted, That if any unmalted Corn or Grain shall be mixed with or contained among any Malt shipped or intended to be shipped in *Ireland* for Exportation, all such Corn and Malt shall be forfeited, together with the Packages containing the same, and the same shall and may be seized by any Officer or Officers of Customs or Excise, and the Person or Persons who shall have so mixed, or caused or procured, permitted or suffered to be mixed any such unmalted Corn or Grain with such Malt as aforesaid, shall, for every Bushel of such Mixture, forfeit and lose the Sum of Five Shillings.

Mixing Corn and Malt intended for Exportation forfeited.

Penalty.

V. And whereas by an Act made in the Parliament of *Ireland* in the Fortieth Year of His present Majesty's Reign intituled, 'An Act for better regulating the issuing and granting of Permits and Certificates

40 G. 3. (1.) c. 68.

Penalties not incurred on Account of Expiration of Certificates for Conveyance of Excisable Goods, unless Notice by Officer.

‘ *Certificates for the Conveyance and Protection of certain excisable Goods therein mentioned, and to prevent Frauds by Dealers in or Retailers of such Goods*; certain Penalties and Forfeitures are imposed in cases where Goods or Commodities are found without the Certificate required by the said Act to be given by Officers of Excise, for the protecting of Goods; and also in cases where such Certificates are not delivered up or renewed according to the Provisions of the said recited Act;’ Be it enacted, That from and after the passing of this Act, no Penalty or Forfeiture whatever shall accrue or be incurred by any Person or Persons whatever, nor shall any Goods or Commodities be forfeited nor be liable to be seized, nor shall any Information, Suit or Prosecution be filed, had, commenced, prosecuted or proceeded on for any such Penalty or Forfeiture, or for the Condemnation of any such Goods or Commodities by reason or in consequence of the Expiration of any such Certificate, or by reason or in consequence of such Certificate not being delivered up, or not being renewed in manner required by the said recited Act, unless Notice shall have been given by some Officer of Excise to the Holder of such Certificate Six Days at the least previous to the filing of any such Information, or the commencing of such Suit or Prosecution, requiring such Holder to renew such Certificate, or to deliver up the same as the case may require, and to take out a new or other Certificate pursuant to the Directions of the said recited Act, any thing in the said recited Act to the contrary in any wise notwithstanding.

46 G. 3. c. 88.

§ 84.

‘ VI. And whereas by an Act made in the Forty sixth Year of His present Majesty’s Reign, intituled, *An Act to provide for the regulating and securing the Collection of the Duties on Spirits distilled in Ireland, and the warehousing of such Spirits for Exportation*, it is, amongst other things, enacted, that no Brazier or other Person dealing in Brass, Copper, Tin, or other Metal, shall make or have in his or her Possession any Still, the Content of the Body whereof without the Head or any Appendage thereto, shall be less than Five hundred Gallons, other than and except any such Still only as may be licensed by the Commissioners of Excise under the Provisions of the said recited Act, nor unless such Brazier or other Person shall have previously obtained a Licence from some one Commissioner of Excise, for making or keeping the same; and in case such Still shall be of less Content than Five hundred Gallons, setting forth that the same is for the Use of some Chemist, Apothecary, or other Person duly licensed to use the same, and if any such Still shall be found in the Possession of any Brazier or other Person as aforesaid, who shall not produce a Licence for making or keeping the same, such Brazier or other Person shall forfeit the Sum of Twenty Pounds, and such Still shall be forfeited and may be seized by any Officer of Excise: And whereas by one

49 G. 3. c. 99.

§ 16.

‘ other Act made in the Forty ninth Year of His present Majesty’s Reign, intituled, *An Act to amend the several Acts for the regulating and securing the Collection of the Duties on Spirits distilled in Ireland, and for the regulating the Sale of such Liquors by Retail*, it is, amongst other things, enacted, that if any Brazier, Tinman, or Worker of Tin, or other Person dealing in Brass, Copper, Tin, or other Metal, shall at any time after the Expiration of Ten Days after the Day of the passing of the said last mentioned Act, make or repair, or have in his or her Possession in Ireland any Still, the

‘ Content

‘ Content of the Body whereof without the Head or any other
 ‘ Appendage thereto, shall be less than Fifty Gallons, every such
 ‘ Person offending as aforesaid shall be deemed and taken to be guilty
 ‘ of a Misdemeanor : And whereas in consequence of the Com-
 ‘ missioners of Inland Excise and Taxes being by Law authorized
 ‘ to grant Licences to Persons to have, keep and make use of any
 ‘ Still, the Content of the Body whereof without the Head or any
 ‘ other Appendage thereto, shall not be less than Forty four Gallons,
 ‘ it is necessary to repeal so much of the said Two Acts as is herein-
 ‘ before recited :’ Be it therefore enacted, That from and after the
 passing of this Act, so much and such Parts of the said Two Acts of
 the forty sixth and Forty ninth Years aforesaid, as is and are herein-
 before recited, shall be and the same is and are hereby repealed.

repealed.

VII. And be it further enacted, That if any Brazier, Tinman or
 Worker of Tin, or other Person dealing in Brasses, Copper, Tin, or
 other Metal, shall make or repair, or have in his or her Possession in
Ireland, any Still the Content of the Body whereof without the
 Head or any Appendage thereto shall be less than Forty four Gal-
 lons, every such Person so offending aforesaid shall be deemed
 and taken to be guilty of a Misdemeanor, and it shall be lawful
 for any Justice of the Peace on Information on Oath of any such
 Offences, to issue his Warrant for the Apprehension of such Person,
 and on Examination into the Complaint to commit such Person to
 Gaol, there to remain until delivered by due Course of Law ; and in
 case any Indictment shall be found against such Person, he or she shall
 plead thereto, without having time to traverse the same ; and it shall
 be lawful for the Court by and before whom such Person shall be
 tried and convicted, to inflict such Punishment on such Person for
 such Offence, as may by Law be inflicted on Persons guilty of
 Misdemeanors.

Braziers, &c.
 having in Posses-
 sion Stills of less
 Content than 44
 Gallons.

Punishment.

VIII. And whereas it is expedient to meet the Inconvenience
 ‘ resulting from Distillers commencing the working Two or more Stills
 ‘ at different Periods in the same Distillery ;’ Be it enacted, That
 whenever any Distiller in *Ireland* shall have Two or more Stills in the
 same Distillery, and shall not have given Notice and commenced the
 working of all such Stills on the same Day, it shall not be lawful
 for such Distiller to give Notice of the commencing or recommencing
 to work any Still or Stills in addition to the Still or Stills which
 shall be then at work in such Distillery but on a *Monday*, which
 shall be the Commencement of a Period of Four Weeks for the
 Work of such Still or Stills as shall have been so at work as afore-
 said ; and in every case where a Distiller shall have Two or more Stills
 working as aforesaid at the same time, every such Distiller shall be
 charged and chargeable, and shall pay Duty for such Quantity of Spirits
 as he shall make, or be chargeable with Duty for from the Number of
 Charges of Low Wines or Singlings, with which all such Stills shall
 by Law be chargeable according to the Contents of the same respec-
 tively ; and the Officer of Excise shall in the several Returns by Law
 required to be made by him, include and charge against such Distiller
 the full Quantity of Spirits for which such Distiller is chargeable
 with Duty in respect of all such Stills taken together ; and when any
 Distiller shall at any time before the Expiration of Ten Days after
 the passing of this Act, have commenced or recommenced the work-
 ing of Two or more Stills in the same Distillery on different Days, so

Regulation for
 Distillers in work-
 ing Two or more
 Stills.

† *Sic.*

Penalties.

as that the Period of Four Weeks as to each of the said Stills shall be distinct, it shall be lawful for the Officer in Charge of the Distillery of such Distiller, to include in his Return of the Charge at the End of such Period of Four Weeks of the Still or Stills which shall have first commenced working as aforesaid, the full Proportion of the Charge or Charges in respect of the Contents of such additional Still or Stills for a Period of Four Weeks, according to the Number of Weeks that † same shall have worked during such Period of Four Weeks, of the Still or Stills which first commenced working as aforesaid, so as to charge the said Distiller from the same Day and Period as to all and every of the said Stills as long as the same shall continue working, and that such Return so made as aforesaid shall be a Charge on such Distiller to all Intents and Purposes, as any Charge on any any Distiller by virtue of any other or former Act; and the Duty or Duties so returned and charged shall be paid and payable by such Distiller in like manner as any Duty under any other Return is payable by Law by any Distiller, and under and subject in Default of Payment to all Penalties as Distillers are subject to in cases of Non-payment of the Duties with which they are chargeable.

C A P. C.

An Act for respiting certain Fines imposed on Stills in *Ireland*.

[20th June 1810.]

30 G. 3. c. 13.

§ 18.

Fines imposed on
Parishes, &c. re-
spited, &c.
Persons not pu-
nishable for not
levying Fines.

‘ WHEREAS by an Act passed in this present Session of Par-
‘ liament, intituled, *An Act to grant to His Majesty, Duties*
‘ *upon Spirits made or distilled in Ireland from Corn; to allow certain*
‘ *Drawbacks on the Exportation thereof; to make further Regulations*
‘ *for the Encouragement of licensed Distillers, and for amending the*
‘ *Laws relative to the Distillery of Ireland*; the Operation of certain
‘ Acts was suspended for Two Years, so far as they imposed Fines
‘ on Parishes and Townships in *Ireland* for unlicensed Stills or Parts
‘ of Stills, or Materials for illicit Distilling, found on such Lands;
‘ And whereas during the time said Act was passing similar Fines
‘ may have been imposed at different Assizes in *Ireland*, which, with-
‘ out the Interference of Parliament, must be levied;’ Be it there-
fore enacted by the King’s Most Excellent Majesty, by and with the
Advice and Consent of the Lords Spiritual and Temporal, and Com-
mons, in this present Parliament assembled, and by the Authority of
the same, That all such Fines as may have been imposed on Parishes or
Townlands in *Ireland* on or after the Tenth Day of *March* in this
Year, shall be and are hereby respited; and that no High Constable
or other Person employed to collect the same shall suffer any Loss of
Salary in consequence of not having collected or paid in such Fines.

C A P. CI.

An Act for confirming an Agreement for the Purchase of the Prifage and Butlerage of Wines in *Ireland*, entered into by the Commissioners of His Majesty's Treasury in *Ireland*, and the Right Honourable *Walter* Earl of *Ormonde* and *Offory* and his Trustees, in pursuance of an Act made in the Forty sixth Year of His present Majesty's Reign.

[20th June 1810.]

‘ **W**HEREAS by an Act made in the Forty sixth Year of the 46 G. 3. c. 94.
 ‘ Reign of His present Majesty, intituled, *An Act to enable*
 ‘ *the Commissioners for executing the Office of Lord High Treasurer of*
 ‘ *Ireland to contract for the Duties of Prifage and Butlerage in Ireland,*
 ‘ reciting that the Right Honourable Earl of *Ormonde* and *Offory*
 ‘ was or claimed to be entitled to the Prifage and Butlerage of all
 ‘ Wines brought into any of the Ports, Havens, Creeks, Rivers,
 ‘ and other Places within *Ireland*; and reciting also that it would
 ‘ tend to Uniformity in the Collection and Application of the Reve-
 ‘ nue of Customs in *Ireland* if the said Duties of Prifage and Butle-
 ‘ rage were, by the Consent of the said Earl, to be revented in the
 ‘ Crown for the public Service: it was enacted, that it should and § 1.
 ‘ might be lawful for the Commissioners for executing the Office of
 ‘ Lord High Treasurer of *Ireland* for the time being, or any Three
 ‘ or more of them, or the Lord High Treasurer of *Ireland* for the
 ‘ time being, on Behalf of His Majesty, his Heirs and Succes-
 ‘ sors, to treat, contract, and agree with the said *Walter* Earl of
 ‘ *Ormonde* and *Offory*, or any other Person or Persons claiming or to
 ‘ claim under or by virtue of the respective Grants or Letters Patent
 ‘ under which the said Earl was or claimed to be entitled to the same,
 ‘ for the absolute Purchase or Surrender of all such Estate, Right,
 ‘ Title and Interest, as he or they had or should be entitled to claim
 ‘ in and to the Prifage and Butlerage of Wines brought into any of
 ‘ the Ports, Havens, Creeks, Rivers, and other Places in *Ireland*,
 ‘ and of all the Rights, Privileges, Profits, and other Advantages
 ‘ whatsoever thereunto belonging, for such Annuity or Sum of Money
 ‘ or both, to be charged upon and payable out of the Consolidated
 ‘ Fund of *Ireland*, at such times and in such manner, and upon and
 ‘ subject to such Terms and Conditions of Redemption thereof, or
 ‘ otherwise relating thereto, as the said Commissioners for executing
 ‘ the Office of Lord High Treasurer of *Ireland* for the time being,
 ‘ or any Three or more of them, or the Lord High Treasurer of
 ‘ *Ireland* for the time being should think fit, and as should be agreed
 ‘ upon in that Behalf: And it was by the said Act provided and § 2.
 ‘ further enacted, that no such Contract which should be entered into
 ‘ as aforesaid should be binding on His Majesty's Heirs or Successors,
 ‘ or should be carried into Effect unless and until the same should be
 ‘ sanctioned and confirmed by Act of Parliament; and whereas by an
 ‘ Act made in the Forty eighth Year of the Reign of His present 48 G. 3. c. xciii.
 ‘ Majesty, intituled, *An Act for vesting in new Trustees certain Estates*
 ‘ *and Property in Ireland of the Right Honourable Walter Earl of*
 ‘ *Ormonde and Offory in Ireland, and Baron Butler in England,*
 ‘ *which have not been sold or disposed of under and by virtue of Two*
 ‘ *Acts of Parliament made in the Thirty fifth and Forty fifth Years of*
 ‘ *His present Majesty's Reign* (by which said Act of the Thirty fifth
 ‘ Year

45 G. 3. c. lxxiii.

48 G. 3. c. xiii.

Contract for Sale
and Surrender of

Year of His present Majesty certain Estates and Effects of the said
Walter Earl of Ormonde and Offory in Ireland, including the said
 Butlerage and Prifage, were vested in Trustees, and by which said
 Act of the Forty fifth Year of His present Majesty the Right
 Honourable *John Earl of Enniskillen* and the Right Honourable
Maurice Fitzgerald were substituted Trustees in the Room of the
 Trustees of the said former Act); after reciting that the Trusts of
 the said last mentioned Act were not then completed, and that the
 said *John Earl of Enniskillen* and the said *Maurice Fitzgerald*, the
 Trustees therein named, were desirous of being discharged there-
 from, and that the said Earl of *Ormonde and Offory* was desirous
 that new Trustees should be appointed to act in the Trusts of the
 said recited Acts of Parliament, in the Room of the said *John Earl*
 of *Enniskillen* and *Maurice Fitzgerald*, but that no Provision had
 been made in either of the said Acts of the Thirty fifth and Forty
 fifth Years of His present Majesty for that Purpose: It was, there-
 fore, by the said Act of the Forty eighth Year of the Reign of
 His present Majesty enacted, That the said *John Earl of Enniskillen*
 and *Maurice Fitzgerald* should be, and they the said *John Earl of*
Enniskillen and *Maurice Fitzgerald* were thereby from thenceforth
 absolutely and for ever released and discharged of and from all and
 every the Uses, Trusts, Powers and Authorities then vested in
 them by virtue of the said Act of the Thirty fifth of His pre-
 sent Majesty, and the said Act of the Forty fifth Year of His said
 present Majesty, so far as it affected or concerned the said *John*
Earl of Enniskillen and *Maurice Fitzgerald* and their Heirs, was
 thereby repealed and declared null and void: And it was by the said
 Act of the Forty eighth Year of His present Majesty further en-
 acted, that *William Morland* and *John Hosier of Pall Mall*, in the
 County of *Middlesex*, Esquires, *Charles Butler of Lincoln's Inn*,
 in the same County, Barrister at Law, and *Job Hart Price Clarke*,
 then of *Montague Street*, in the same County, Esquire, and their
 Heirs, should be, and they the said *William Morland*, *John Hosier*,
Charles Butler and *Job Hart Price Clarke*, were thereby appointed
 Trustees in the Place and Stead of the said *John Earl of Enniskillen*
 and *Maurice Fitzgerald*; and all such Parts of the Estates, Manors,
 Lands, Tenements, Prifage and Butlerage of Wines, Estates,
 Effects Hereditaments and Premises of what Nature and Kind
 soever, comprized in the said recited Acts or either of them, which
 had not been sold or disposed of for the Purposes of the said re-
 cited Acts or either of them, were thereby vested in the said
William Morland, *John Hosier*, *Charles Butler* and *Job Hart Price*
Clarke, and their Heirs, upon such and the same Trusts, and to and
 for such and the same Uses, and for such and the same Estates
 and Interests, and with such and the same Powers and Provisions,
 and to and for the same Intents and Purposes as in the said recited
 Act of the Thirty fifth of His present Majesty are mentioned or
 declared concerning the Hereditaments and Premises therein men-
 tioned, and in as full, extensive and absolute manner, to all Intents
 and Purposes, as the same were vested in the said *John Earl of En-*
niskillen and *Maurice Fitzgerald* and their Heirs, or such and so
 many of them as should be then subsisting, undetermined and capa-
 ble of taking Effect: And whereas by Indenture bearing Date
 the Fourteenth Day of *May* in the Year of our Lord One thousand
 eight

eight hundred and ten, and made or expressed to be made between
 the Right Honourable *John Foster*, Chancellor of His Majesty's
 Exchequer, in that Part of the United Kingdom of *Great Britain*,
 called *Ireland*, the Right Honourable *Sir George Fitzgerald Hill*
 Baronet, and the Right Honourable *John Barry*, Commissioners
 of His Majesty's Treasury of *Ireland*, of the First Part; the said
William Morland, *John Hosier*, *Charles Butler* and *Job Hart Price*
Clarke, of the Second Part; and the said *Walter Earl of Ormonde*
 and *Offory* of the Third Part; reciting the several Matters herein-
 before recited, they the said *John Foster*, *Sir George Fitzgerald Hill*
 and *John Barry*, as Commissioners of the Treasury of *Ireland*, in
 pursuance of the hereinbefore recited Act of Parliament passed in
 the Forty sixth Year of the Reign of His present Majesty, did
 on Behalf of His Majesty, his Heirs and Successors, contract and
 agree with the said *William Morland*, *John Hosier*, *Charles Butler*
 and *Job Hart Price Clarke*, by and with the Consent of the said
Walter Earl of Ormonde and *Offory*, (signified by his being a Party
 to and executing the said Indenture) for the absolute Purchase and
 Surrender from the Day of the Execution of the Deed of Convey-
 ance by the said Commissioners of such Estate, Right, Title and In-
 terest, as the said *Earl of Ormonde* and *Offory*, or his said Trustees,
 hath or have in the aforesaid Prifage and Butlerage of Wines in all
Ireland, for the Price or Sum of Two hundred and sixteen thou-
 sand Pounds Sterling *Irish* Currency: And it was by the said In-
 denture agreed and declared by and between the Parties to the said
 Indenture that the said *Earl of Ormonde* and *Offory*, *William Mor-*
land, *John Hosier*, *Charles Butler* and *Job Hart Price Clarke*,
 should forthwith, after the said Contract should be approved of by
 Parliament, produce a good and satisfactory Title to the said Pri-
 sage and Butlerage; and by proper Deeds, Conveyances and Assu-
 rances convey or surrender the same, or cause the same to be conveyed
 or surrendered to the King's Most Excellent Majesty, his Heirs and
 Successors, absolutely and free from all Charges and Incumbrances
 whatsoever; and it is by the said Indenture declared and agreed by
 and between the Parties to the said Indenture, that the said Sum of
 Two hundred and sixteen thousand Pounds Sterling should be paid
 to the said *William Morland*, *John Hosier*, *Charles Butler* and *Job*
Hart Price Clarke, their Executors, Administrators and Assigns, by
 the Commissioners of the Treasury on the Day of the Execution of
 the said Deed of Conveyance by the said *John Foster*, *Sir George*
Fitzgerald Hill and *John Barry*; and that, until the Execution of
 the said Conveyance and Surrender, the said Prifage and Butlerage,
 and the accruing Income and Profits of the same should belong
 to and be received by the said *William Morland*, *John Hosier*,
Charles Butler and *Job Hart Price Clarke*, their Executors, Admi-
 nistrators and Assigns, as Trustees under the said recited Act of the
 Forty eighth Year aforesaid: And it is by the said Indenture pro-
 vided and declared by and between the Parties thereto, that nothing
 therein contained shall be binding upon them or any of them, unless
 the same should, within the Space of Two Years, to be computed
 from the Twentieth Day of *December* then last, be sanctioned and
 confirmed by Parliament: and whereas the Mayor, Sheriffs and
 Commonalty of the City of *Cork* have, by their Petition to the
 House of Commons, claimed all the Prifage of Wines in all Bays,

Prifage, by the
 Earl of Ormonde
 and his Trustees,
 May 14, 1810.
 for 210,000l.

46 G. 3. c. 94.

48 G. 3. c. xciii.

Claim of Corpo-
 ration of Cork to
 Prifage.

‘ Creeks and Strands within the Port of the said City; and it is
 ‘ possible that similar Claims may be made within other Ports of *Ire-*
 ‘ *land*: And whereas it would be of great public Benefit that the
 ‘ Prifage and Butlerage of Wines should be forthwith extinguished
 ‘ within and through every Port in *Ireland*, and within and through
 ‘ every Creek, Bay and Strand thereof;’ Be it therefore enacted by
 the King’s Most Excellent Majesty, by and with the Advice and Con-
 sent of the Lords Spiritual and Temporal, and Commons, in this
 present Parliament assembled, and by the Authority of the same,
 That the said hereinbefore recited Contract and Agreement for the
 Purchase and Surrender of the Estate, Right, Title and Interest
 of the said *Walter* Earl of *Ormonde* and *Offory*, and his said Trus-
 tees, of, in and to the Prifage and Butlerage of Wines in all *Ire-*
land, shall be, and the same is hereby sanctioned, ratified, confirmed
 and established, subject nevertheless to the Provisions and Regula-
 tions in this present Act contained; and that immediately from and
 after the Execution of the Conveyance in the said recited Contract
 mentioned, which Conveyance shall contain a full Conveyance of the
 Prifage and Butlerage of Wines brought into all or any Port, Haven,
 Creek, River, or other Place in *Ireland*, all Prifage and Butlerage
 of Wines brought into any of the Ports, Havens, Creeks, Rivers,
 and other Places in *Ireland*, and all Compositions, Duties, and other
 Payments in lieu of or on account of such Prifage and Butlerage
 shall for ever thenceforth be absolutely vested in His Majesty, his
 Heirs and Successors, free and clear, and for ever exempted, exone-
 rated and discharged of and from all Rights, Titles, Interests, Claim
 and Demand whatsoever of any Body Politick or Corporate, or other
 Person or Persons whomsoever; and that immediately from and after
 the Execution of such Conveyance, the Sum of Two hundred and
 sixteen thousand Pounds, *Irisb* Currency, shall be issuing out of, and
 shall be charged and chargeable on the Consolidated Fund of *Ireland*,
 and shall be issued and paid accordingly in manner and under the Re-
 gulations in this Act contained.

II. And be it further enacted, That immediately after the Execu-
 tion of the Deed of Conveyance and Surrender of the said Prifage
 and Butlerage from the said Earl of *Ormonde* and *Offory* and his Trus-
 tees, by the said Earl of *Ormonde* and *Offory*, and his Trustees, or
 the Survivor of such Trustees, and by the Lord High Treasurer or
 Commissioners of the Treasury for the time being, or any Three of
 them, the Whole of the said Sum of Two hundred and sixteen thou-
 sand Pounds shall, by the Lord High Treasurer of *Ireland*, or the
 Commissioners for executing the said Office of Lord High Treasurer
 for the time being, with the Consent of the said Earl of *Ormonde*
 and *Offory*, and his said Trustees, or the Survivor of them, be invest-
 ed at Interest in Treasury Bills, or in such other Government Secu-
 rities as the said Earl of *Ormonde* and *Offory*, and his said Trustees,
 or the Survivor of them, shall approve, in the Name or Names of the
 said Lord High Treasurer or Commissioners, or any Three of them
 for the time being, and the Principal, Interest and Proceeds of the
 said Treasury Bills, or other Government Securities, shall be accounted
 for, applied and paid over by the said Lord High Treasurer or Com-
 missioners for the time being for the Purposes of this Act, in manner
 and under the Regulations and at the times in this Act in that Behalf
 mentioned and directed.

III. And

Contract with
 Lord Ormonde
 confirmed, sub-
 ject to Provisions
 of this Act.

Prifage vested in
 His Majesty free
 of all Claim.

Purchase Money
 chargeable on
 Consolidated
 Fund.

On Execution of
 Conveyance
 216,000l. to be
 invested, for the
 Purpose of this
 Act, with Con-
 sent of Earl of
 Ormonde and his
 Trustees.

III. And be it further enacted, That the Acquittance or Acquittances, or Receipt or Receipts of the said *William Morland, John Hofer, Charles Butler* and *Job Hart Price Clarke*, or the Person or Persons who shall be entitled to receive the said Sum of Two hundred and sixteen thousand Pounds, under the Provisions of this Act contained, shall be a good and sufficient Discharge for the Payment of the said Sum, or of so much thereof as shall be thereby acknowledged to be by them or him received, without any further or other Warrant to be sued for or obtained in that Behalf; and that the said Sum and every Part thereof shall be free and clear from all Taxes, Impositions, Fees, and other Charges whatsoever.

Acquittance of Trustees, &c. for the Consideration of 216,000l. to be a valid Discharge,

IV. Provided always, and be it further enacted, That, for trying or ascertaining any Right or Claim which the said Mayor, Sheriffs and Commonalty of the said City of *Cork*, or any other Person or Persons, Body or Bodies Politick or Corporate, may alledge or make of or to the Prifage or Butlerage of Wines, or any Part, Share or Proportion thereof, in any Port or Ports of *Ireland*, or in any Bay, Creek or Strand within any Part or in any Place or Places in *Ireland*, it shall and may be lawful to and for the said Mayor, Sheriffs and Commonalty of the said City of *Cork*, and to and for all and every or any Person or Persons, or Body or Bodies Politick or Corporate, who shall alledge any such Right or make any such Claim, to have the Subject of such Claim tried at Law in His Majesty's Court of King's Bench, Common Pleas or Exchequer, in *Ireland*, at the Option of the Claimant or Claimants, by an Action to be brought by such Claimant or Claimants against the Lord High Treasurer or Commissioners of the Treasury of *Ireland* for the time being; and the said Earl of *Ormonde* and *Offory* and his said Trustees, or the Survivor of them, upon an Issue whether the said Mayor, Sheriffs and Commonalty of the City of *Cork*, or other Person or Persons, or Body or Bodies Politick or Corporate, who shall alledge any such Right or make any such Claim respectively, are or is entitled to any Prifage or Butlerage of Wines in any Bays, Creeks or Strands within the Port of the said City of *Cork*, any way happening, or in any other Port or Ports of *Ireland*, or in any Bay, Creek or Strand thereof, or in any Place or Places in *Ireland* to be named in such Issue, as the case may require; and that in any such Action the said Mayor, Sheriffs and Commonalty of the said City of *Cork* or other Person or Persons, or Body or Bodies Politick or Corporate, who shall alledge any such Right or make any such Claim as aforesaid, shall be Plaintiffs at Law; and the Lord High Treasurer of *Ireland*, or the Commissioners for executing the said Office of Lord High Treasurer for the time being, together with the said Earl of *Ormonde* and *Offory*, and his said Trustees or the Survivor of them, shall be Defendants at Law; and such Defendants shall without Delay name an Attorney or Attornies respectively to appear to and to accept a Declaration and plead to Issue; and such Issue, if the Parties shall differ, shall be settled by the Master or the proper Officer of the Court in which any such Proceedings shall be had; and all and every such Plaintiff or Plaintiffs shall proceed in every such Action for the Trial of such Claim, so as to have the same tried and determined before a special Jury of the County of the City of *Dublin*, at any time before the First Day of *January* One thousand eight hundred and twelve, as the Court shall think fit to appoint;

For ascertaining the Right of the Corporation of *Cork*, or other Corporations or Persons, &c.

and after Verdict on any such Issue, Judgment shall be given by such Court with Costs as usual in common Cases.

If such Right established, then Value ascertained either by Agreement or by Verdict of a Jury.

V. And be it further enacted, That if such Person or Persons, Body or Bodies Politick or Corporate, shall fully and satisfactorily establish such Right, or any Right in the Premises, though not to the full Extent; then, and in every such case, the Price and Value of such Prifage or Butlerage, or of such Part, Share or Proportion thereof, the Right to which shall be so established as aforesaid, shall be also ascertained at the said Trial in case all the Parties at such Trial shall so agree; but in case all the said Parties shall not so agree, then the said Price and Value shall be ascertained as follows, that is to say; if by any Instrument in Writing, to be made and executed by and between the Person or Persons, or Body or Bodies Politick or Corporate, so establishing his, her or their Right as aforesaid, of the First Part; the said *William Morland, John Hosier, Charles Butler and Job Hart Price Clarke*, or the Survivors and Survivor of them, or the Heirs or Assigns of such Survivor, with the Consent of the said Earl of *Ormonde* and *Offory* or his Heirs, of the Second Part; and any Three Commissioners of the Treasury of *Ireland*, or the Lord High Treasurer of *Ireland* for the time being, of the Third Part; the Price and Value thereof shall be ascertained, declared and agreed upon under their respective Hands and Seals; then the same shall from thenceforth be deemed and taken as and for the Price and Value thereof to all Intents and Purposes, and shall be paid in manner hereinafter mentioned, together with the Costs (if any); but if the said Parties should not so agree, then the same shall in every such case be ascertained as follows, that is to say; an Action shall be brought by the Person or Persons, Body or Bodies Politick or Corporate, having so established such Right as aforesaid, for the ascertaining of the Amount of such Price or Value against the Person or Persons being Defendants in the said first mentioned Action, in which Action for ascertaining such Price or Value the *Venue* shall be laid in the County of the City of *Dublin*; and it shall be lawful for all Parties to proceed in such Action for ascertaining such Price or Value as aforesaid, in like manner as in the former Case of the Action for the Trial of the Right as aforesaid, or as nearly thereto as the Case will admit; and upon such Trial it shall be lawful for the Jury to give a Verdict for the Defendants, or for the Plaintiff or Plaintiffs, with Damages, and the Court shall give Judgment thereon with Costs, as usual in common cases.

Costs.

On such Agreement or Verdict Treasury to pay Amount of Damages.

VI. And be it further enacted, That whenever such Agreement shall be made, or such Verdict and Judgments shall be given for such Price or Value, then within Fourteen Days after the Execution of such Agreement, or after the Production and Delivery of a Certificate under the Hand of the proper Officer or Officers of the Court in which any such Trial shall be had, signifying that such Verdict and Judgment had been given, and the Amount of the Damages thereon, which said Certificate the said Officer or Officers is and are hereby required to give, it shall be lawful for the Lord High Treasurer of *Ireland*, or the Commissioners for executing the said Office of Lord High Treasurer for the time being, and he and they is and are hereby required to issue and pay to and to the Use of the said Mayor, Sheriffs and Commonalty of the City of *Cork*, or to and to the Use of such other Person or Persons, or Body or Bodies Politick or

or Corporate, as by virtue of any such Agreement or Verdict and Judgment shall be entitled to any such Damages or Sum or Sums of Money, the Amount of such Damages and Sum and Sums of Money respectively.

VII. Provided always, and be it enacted, That if the Court before whom any Trials shall be had under this Act shall be dissatisfied with any Verdict to be given on any such Trial, then, and in every such Case, and so often as the same shall happen, it shall be lawful for such Court to grant a new or further Trial upon the same Issue, upon Application of the Party complaining of such Verdict within the time allowed in common Cases for Motions for new Trials; and that if any of the Defendants in any Action to be brought and prosecuted in pursuance of this Act shall die, or cease to hold their Offices, pending the same, such Action shall not abate by reason thereof, but shall be proceeded in as if no such Event had happened.

New Trial.

VIII. And be it further enacted, That every such Verdict and Judgment thereon shall be binding and conclusive upon and against the Parties on the Trial of any such Issue, and upon and against all and every Person and Persons, and Body and Bodies Politick and Corporate whomsoever, claiming or to claim Prifage or Butlerage of Wines in the Port or Place relating to which any such Issue shall be tried as aforesaid; and that if the said Mayor, Sheriffs and Commonalty of the City of *Cork*, or any other Person or Persons, Body or Bodies Politick or Corporate whatever, claiming or to claim any Right, Title or Interest in or to the Prifage or Butlerage of Wines in *Ireland*, or any Parts, Share or Proportion thereof, shall omit or neglect to proceed to the Trial of the several Issues for determining their Right therein in manner aforesaid, and also for ascertaining the Price or Value as aforesaid if necessary; and if such Trials shall not be had, and Verdicts and Judgments thereon respectively given, or Agreement made for ascertaining such Price or Value as aforesaid, before the said First Day of *January* One thousand eight hundred and twelve, the said Mayor, Sheriffs and Commonalty of the City of *Cork*, and all and every other Person and Persons, Body and Bodies Politick and Corporate, respecting whose Right and Damages, Trials shall not be had, and Verdicts and Judgments shall not be given, or Agreement made as aforesaid, before the said First Day of *January* One thousand eight hundred and twelve, shall be deemed and taken to have abandoned all Claim, Right and Title to such Prifage and Butlerage of Wines, or any Share or Proportion thereof, and shall be for ever thenceforth barred and precluded from all Benefit of any such Claim; and from demanding, taking or receiving any Prifage or Butlerage of Wines in any Port or Place in *Ireland*, any Law, Charter, Usage or Custom to the contrary in any wise notwithstanding.

Verdicts binding.

All Claims of Prifage not determined before Jan. 1, 1812, barred.

IX. And be it further enacted, That in case no such Trial shall be had, nor any Verdict given for any Plaintiff or Plaintiffs on any such Issue as aforesaid, before the said First Day of *January* One thousand eight hundred and twelve; then, and in such Case, it shall and may be lawful for the Lord High Treasurer of *Ireland*, or the Commissioners for executing the said Office of Lord High Treasurer for the time being, and they are hereby authorized and required to issue and pay, and to deliver over to the said *William Morland*, *John Hofer*, *Charles Butler* and *Job Hart Price Clarke*, and the Survivor of

Treasury to pay the whole 216,000l. to the Trustees, or so much thereof as shall remain after Payment of Damages.

of them, his Executors, Administrators or Assigns, the Whole of the said Sum of Two hundred and sixteen thousand Pounds, or the Securities (if any) in which the same shall have been invested as aforesaid, together with such Interest as may have accrued on such Securities up to the time of their paying and delivering over the same as aforesaid; and in case any such Trial or Trials shall have been had, and a Verdict and Judgment given for Damages to the Plaintiff or Plaintiffs therein, at any time before the said First Day of *January* One thousand eight hundred and twelve; then, and in such Case, it shall and may be lawful for the said Lord High Treasurer or Commissioners for the time being respectively, to issue and pay and deliver over to the said *William Morland, John Hosier, Charles Butler* and *Job Hart Price Clarke*, or the Survivor of them, his Executors, Administrators and Assigns, so much and such Sum or Sums of Money or Securities as aforesaid, as together with any Sum or Sums of Money paid or payable to any such Plaintiff or Plaintiffs as aforesaid in consequence of any such Verdict and Judgment for Damages as aforesaid, or of any Agreement to be made as aforesaid, shall amount to the Whole of the said Sum of Two hundred and sixteen thousand Pounds, or to the whole Produce of the Securities in which the same shall have been invested in manner aforesaid, with Interest on such Securities as aforesaid.

Treasury, on Execution of Conveyance may advance not exceeding Two Thirds of said 216,000l taking Indemnity against any Claim, &c.

X. Provided always, and be it enacted, That at any time after the Execution as aforesaid of such Deed of Conveyance and Surrender of the said Prifage and Butlerage from the said Earl of *Ormonde* and *Offory*, and his said Trustees, or the Survivor of them, his Executors, Administrators and Assigns, it shall be lawful for the said Lord High Treasurer of *Ireland*, or the Commissioners for executing the Office of Lord High Treasurer for the time being, to pay and advance to the said *William Morland, John Hosier, Charles Butler* and *Job Hart Price Clarke*, or the Survivor of them, his Executors, Administrators or Assigns, any Sum or Sums of Money not exceeding in the Whole the Amount of Two Third Parts of the said Sum of Two hundred and sixteen thousand Pounds, upon receiving from the said Earl of *Ormonde* and *Offory*, and his said Trustees, or the Survivor of them, his Executors, Administrators or Assigns, such Security or Securities as the said Lord High Treasurer or Commissioners as aforesaid shall think sufficient, fully and amply to indemnify the said Lord High Treasurer or Commissioners from and against all and every Claim and Claims of any and every Person and Persons, Body or Bodies Politick or Corporate, to any Prifage or Butlerage of Wines in any Port or Place in *Ireland*, or any Part, Share or Proportion thereof, and from and against any Sum or Sums of Money, Damages or Costs to be paid to any such Person or Persons, Body or Bodies Politick or Corporate, in Recompence of any such Claim beyond the Amount of such Part of the said Sum of Two hundred and sixteen thousand Pounds as shall not be paid and advanced to the said Trustees in manner aforesaid; and in case it shall happen that any Sum or Sums of Money, Damages or Costs to be paid on account of or in recompence for any such Claim or Claims in consequence of any Verdict or Judgment or Agreement as hereinbefore mentioned, shall exceed the Amount of such Part of the said Sum of Two hundred and sixteen thousand Pounds as shall not be paid and advanced to the said Trustees; then, and in such Case,

Case, such Excess of the Sum and Sums so to be paid, with Interest thereon from the time of Payment thereof respectively, shall stand and be a Charge on all and every the Estates now vested in the said *William Morland, John Hosier, Charles Butler and Job Hart Price Clarke*, under the aforesaid Acts of Parliament, or any of them, except such Part of the said Estates of the said Earl of *Ormonds* and *Offory* as may be excepted from or not included in the Security to be required by the said Lord High Treasurer or Commissioners as aforesaid, in Priority to any Debts or Debt in the said Acts or any of them mentioned and provided to be paid as aforesaid which shall then remain unpaid, and shall and may be sued for and recovered thereout, with Interest and Costs, by and in the Names of the Commissioners of the Treasury of *Ireland*, or the Lord High Treasurer for the time being, by their said Name of Office respectively, either at Law or in Equity, in the same manner in all Respects as any Mortgagee in Fee Simple may proceed for Recovery of his Principal, Interest and Costs; and no Change of any of the said Commissioners pending any such Suit or Proceeding, shall in any way affect the same; and the net Sum recovered shall be paid into His Majesty's Treasury of *Ireland*, and shall become and be Part of the Consolidated Fund of *Ireland*.

C A P. CII.

An Act for the more effectually preventing the administering and taking of unlawful Oaths in *Ireland*; and for the Protection of Magistrates and Witnesses in Criminal Cases.

[20th June 1810.]

‘ WHEREAS divers wicked and evil disposed Persons have
 ‘ from time to time attempted to seduce several of His Ma-
 ‘ jesty's Subjects in *Ireland* from their Duty and Allegiance to His
 ‘ Majesty, and to associate them under the pretended Obligations of
 ‘ Oaths unlawfully administered:’ Be it enacted by the King's Most
 Excellent Majesty, by and with the Advice and Consent of the
 Lords Spiritual and Temporal, and Commons, in this present Parlia-
 ment assembled, and by the Authority of the same, That any Person
 or Persons who at any time after the passing of this Act shall admi-
 nister or cause to be administered, tender or cause to be tendered,
 or be present aiding and assisting at the administering or tendering,
 or who shall by Threats, Promises, Persuasions, or other undue
 Means, cause, procure or induce to be taken by any Person or Per-
 sons in *Ireland*, upon a Book or otherwise, any Oath or Engage-
 ment importing to bind the Person or Persons taking the same to
 be of any Association, Brotherhood, Committee, Society or Confe-
 deracy whatsoever, in reality formed or to be formed for seditious
 Purposes, or to disturb the Publick Peace, or to injure the Per-
 sons or Property of any Person or Persons whatsoever, or to
 compel any Person or Persons whatsoever, to do or omit or re-
 fuse to do any Act or Acts whatsoever, under whatever Name,
 Description or Pretence such Association, Brotherhood, Commit-
 tee, Society or Confederacy shall assume or pretend to be formed
 or constituted, or any Oath or Engagement importing to bind
 the Person taking the same to obey the Orders or Rules or Com-
 mands of any Committee or other Body of Men not lawfully con-
 stituted,

Administering or
 taking Oaths for
 seditious Pur-
 poses.

Not informing.

Punishment.

Ireland, Punishment.

Necessity not to justify Offenders, unless they give Information to a Justice.

Aiders and Abettors deemed Principals.

Purport of Oath sufficient in Indictment.

stituted, or of any Captain, Leader or Commander (not appointed by or under the Authority of His Majesty, his Heirs and Successors) or to assemble at the Desire and Command of any such Captain, Leader, Commander or Committee, or of any Person or Persons not having lawful Authority, or not to inform or give Evidence against any Brother, Associate, Confederate or other Person, or not to reveal or discover his or her having taken any illegal Oath, or not to reveal or discover any illegal Act done or to be done, or not to discover any illegal Oath or Engagement which may be administered or tendered to him or her, or the Import thereof, whether such Oath shall be afterwards so administered or tendered or not, or whether he or she shall take such Oath or enter into such Engagement or not, being by due Course of Law convicted thereof, shall be adjudged guilty of Felony and be transported for Life; and every Person who shall take, in *Ireland*, any such Oath or Engagement, importing so to bind him or her as aforesaid, and being by due Course of Law thereof convicted, shall be adjudged guilty of Felony, and be transported for Seven Years.

II. Provided always, That any Person or Persons who may have been compelled by inevitable Necessity to commit any of the Offences aforesaid, upon Proof of such inevitable Necessity, shall be excused and justified, provided that no such inevitable Necessity shall justify or excuse any such Person or Persons, unless he, she or they shall, within Ten Days, if not prevented by actual Force or Sickness, and then within Seven Days after such actual Force or Sickness shall cease to disable him, her or them from giving Information of the same, disclose to One of His Majesty's Justices of the Peace in the County in which he, she or they shall then be, by Information on Oath, the Whole of what he, she or they know touching the compelling him, her or them, to commit any such Offence, and of the Person or Persons by whom he, she or they were compelled to commit such Offence, and who were present at the time such Offence was committed, and of the Place where the same was committed: Provided however, that no Person shall be so excluded from the Defence of inevitable Necessity, who shall be tried for the said Offence within the said Period of Ten Days from the Commission of such Offence, or of Seven Days from the time when such Force or Sickness shall cease as aforesaid.

III. And be it further enacted, That all Persons present, aiding and assisting at the administering or tendering of any such Oath or Engagement, and all Persons causing any such Oath or Engagement to be administered or tendered, though not present, shall be deemed principal Offenders, and tried as such, though the Person or Persons who actually administered or tendered such Oath or Engagement shall not have been tried or convicted.

IV. And be it further enacted, That it shall not be necessary in any Indictment to be found against any Person for administering, tendering or taking such Oath or Engagement, to set out the Words of such Oath or Engagement, and that it shall be sufficient to set forth therein the Purport or Object of such Oath or Engagement.

V. And whereas it has happened that Persons who have given Information against Persons accused of Crimes in *Ireland*, have been murdered before Trial of Persons accused, in order to prevent their giving

‘giving Evidence, and to effect the Acquittal of the Accused;’ Be it declared and enacted, That if any Person who hath given or shall give Information or Examination upon Oath against any Person or Persons for any Offence against the Laws. hath been or shall, before the Trial or Trials of the Person or Persons respectively against whom such Information or Examination hath been or shall be given, be murdered or violently put to Death, or so maimed or forcibly carried away and secreted as not to be able to give Evidence on the Trial of the Person or Persons against whom such Information or Examination was given, the Information or Examination of such Person so taken on Oath shall be admitted in all Courts of Justice in *Ireland* as Evidence on the Trial or Trials of the Person or Persons respectively against whom such Information or Examination was given: Provided always, that the Information or Examination of a Witness secreted shall not be Evidence, unless it shall be found, on a collateral Issue, to be put to the Jury trying the Prisoner, that the Person so secreted was secreted by the Person then on Trial, or by some Person or Persons acting for him or her, or in his or her Favour.

Information of Persons who shall lodge Examinations, and shall be murdered, &c. admitted as Evidence.

VI. And be it further enacted, That if it shall appear that any Person having given Information or Evidence against any Person or Persons charged with any Offence against the publick Peace, shall have been murdered or maimed previous to the Trial of the Person or Persons accused by such Information or Evidence, or of any of them, or on account of any such Evidence given, or that any Magistrate or other Peace Officer shall be murdered or maimed on account of his Exertions as such Magistrate or Peace Officer to bring Disturbers of the publick Peace to Justice, it shall and may be lawful to and for the Grand Jury of the County, County of a Town or County of a City within which such Murder or maiming shall have been committed respectively, to present such Sum or Sums of Money as they shall think just and reasonable to be paid to the personal Representative of such Witness, Magistrate or Peace Officer who shall be murdered, or to such Witness, Magistrate or Peace Officer who shall be maimed, having Regard to the Rank, Degree, Situation and Circumstances of such Witness, Magistrate or Peace Officer, to be raised on the County at large, Barony, Half Barony or Parish in which such Murder or maiming shall respectively have been perpetrated, at the Discretion of such Grand Jury.

Where a Witness, &c. maimed on account of Evidence, &c. Grand Jury may present a Sum for such Person, or their Representative.

VII. And be it further enacted, That it shall and may be lawful for any Justice of the Peace in *Ireland* to arrest and bring before him, or cause to be arrested or brought before him, any Stranger, sojourning or wandering, and to examine him or her on Oath respecting his or her Place of Abode, the Place from whence he or she came, his or her manner of Livelihood, and his or her Object or Motive for remaining or coming into the County, City or Town in which he or she shall be found, and unless he or she shall answer to the Satisfaction of such Magistrate, or produce sufficient Security for his or her good Behaviour, such Magistrate shall commit him or her to Gaol or the House of Correction, there to remain until he or she shall find such Security as aforesaid, or until he or she shall be discharged by such Magistrate: Provided always, that such Magistrate shall, without Delay, after such Committal, transmit to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for

Magistrates may arrest Strangers, and examine them on Oath, and transmit Report to Lord Lieutenant.

for the time being, a true and faithful Report of such Committal, and the Grounds and Reasons thereof, the Amount of Bail required, with the Examination of the Prisoner, and the Reasons alledged by him why he or she should not be committed, which such Magistrate is required to take down in Writing, in order that such Person may be detained or discharged, as to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being may seem right.

Magistrates may
act in adjacent
Counties, &c.

VIII. And be it further enacted, That it shall and may be lawful to and for all Magistrates of the adjacent Counties at large respectively, to execute this Act within the several Counties of Cities or Counties of Towns in *Ireland*, except the County of the City of *Dublin*; and in like manner, that the several Magistrates of such Counties of Cities and Counties of Towns shall have like Powers to execute this Act in the adjacent Counties at large.

Powers of Act
extended to all
Magistrates.

IX. And be it further enacted, That all the Powers and Authorities given to, and all Duties required from Magistrates of Counties at large, under and by this Act, shall be and are hereby given to and required from all Magistrates of Counties of Towns, or Counties of Cities in *Ireland*.

Limitation of
Actions.

X. And be it further enacted, That if any Action, Suit, Plaint or Information shall be commenced or prosecuted against any Person or Persons for what he or they shall do in pursuance and Execution of this Act, the same shall be commenced within Six Months after the Offence committed, and shall be brought or laid within the County where the Act was committed; and such Person so sued may plead the General Issue of Not Guilty, and upon Issue joined, may give this Act and the special Matter in Evidence; and if the Plaintiff or Prosecutor shall become nonsuit, or forbear Prosecution or suffer a Discontinuance, or if a Verdict or Judgment on Demurrer shall pass against him, the Defendant shall recover Treble Costs.

General Issue.

Treble Costs.

C A P. CIII.

An Act for repealing the several Laws relating to Prisons in *Ireland*; and for re-enacting such of the Provisions thereof as have been found useful, with Amendments.

[20th June 1810.]

‘ WHEREAS the Provisions by Law established for building, repairing and regulating the different Prisons in *Ireland*, have been found insufficient, and are comprized in several Acts of Parliament, some of which relate chiefly to other Subjects;’ For Remedy whereof, Be it enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lord Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *July* One thousand eight hundred and ten, the several Acts and Parts of Acts of Parliament here following; (that is to say, an Act passed in the Seventeenth and Eighteenth Years of the Reign of King *Charles* the Second, intituled, *An Act for Relief of Poor Prisoners*; An Act passed in the Tenth Year of King *William* the Third, intituled, *An Act for regulating the Fees of the Marshal of the Four Courts, and for settling the Rates of Lodgings, and Redress of other Abuses in the said Marshalsea, and in the Marshalsea of the City of*

17 & 18 Car. 2.
(1.) c. 8.
10 W. 3. (1.)
c. 9.

of Dublin; so much of an Act passed in the Third Year of the Reign of His present Majesty, intituled, *An Act for better preventing the Severities and unjust Exactions practised by Gaolers against their Prisoners, and for more effectually supporting Prosecutions at the Suit of the Crown in Cases of Felony and Treason*, as relates to the Fees and Conduct of Gaolers, and the Regulation and Improvement of Gaols; so much of an Act passed in the Seventh Year of the Reign of His present Majesty, intituled, *An Act to enable Grand Juries to raise by Presentment Money for discharging the Rents of Court Houses, Gaols and Offices, for keeping the Records of the respective Counties, and for other Purposes*, as relates to the Gaols and Workhouses or Houses of Correction; an Act passed in the Seventeenth and Eighteenth Years of the Reign of His present Majesty, intituled, *An Act for preserving the Health of Prisoners in Gaol, and preventing the Gaol Distemper*; so much of an Act passed in the Twenty first and Twenty second Years of the Reign of His present Majesty, intituled, *An Act for reviving, continuing and amending several temporary Statutes*, as relates to the Allowance of Bread to Prisoners; so much of an Act passed in the said Year, intituled, *An Act for enforcing the due Execution of the Laws now in being, and for the better regulating the Publick Gaols and Prisons in this Kingdom, and providing necessary Accommodation for the Persons confined therein, and for the more effectual Administration of Justice at Sessions, and by Justices of the Peace in Cities and Counties of Cities within this Kingdom*, as relates to Gaols or Gaolers, or any Presentment for the same; so much of an Act passed in the Twenty third and Twenty fourth Years of the Reign of His present Majesty, intituled, *An Act for altering, amending and rendering more effectual the Laws now in being, for regulating and managing the Publick Gaols and Prisons throughout this Kingdom*, as relates to the building, repairing and regulating Gaols or to Gaolers; so much of an Act passed in the Twenty sixth Year of the Reign of His present Majesty, intituled, *An Act for making, widening and repairing Publick Roads in the County of Dublin, and for repealing Parts of several Acts formerly made for that Purpose*, as relates to any Presentment for any of the Matters for which Presentments are authorized by this Act; an Act passed in the said Year, intituled, *An Act for amending and carrying more effectually into force the several Laws now in being for regulating the Publick Gaols and Prisons throughout this Kingdom*; so much of an Act passed in the said Year, intituled, *An Act to enable the Grand Juries of the several Counties of Cities and Counties of Towns within this Kingdom, to grant such Sums as shall be necessary for building and repairing Bridewells therein*, as relates to the building, repairing or Government of Bridewells, or as to the Accommodations therein or to the Keepers thereof; so much of an Act passed in the Twenty seventh Year of the Reign of His present Majesty, to explain and amend the said first mentioned Act of the Twenty sixth Year of the Reign of His present Majesty, as relates to any Prisons or Medicines for the same, or any Inspectors, Physicians or other Officers thereof; an Act passed in the Thirty third Year of the Reign of His present Majesty, intituled, *An Act for the better Regulation of the Marshalsea of the Four Courts in Dublin*; so much of an Act passed in the said Year, intituled, *An Act respecting the Collection of Publick Money to be levied in the County of the City of Dublin by Presentment*, as relates to the repairing of Gaols, and the Salary of the Chaplain

3 G. 3 (1.) c. 20.
7 G. 3. (1.) c. 4.
17 & 18 G. 3. (1.) c. 28.
21 & 22 G. 3. (1.) c. 40.
21 & 22 G. 3. (1.) c. 42.
23 & 24 G. 3. (1.) c. 41.
26 G. 3. (1.) c. 14.
26 G. 3. (1.) c. 27.
26 G. 3. (1.) c. 45.
27 G. 3. (1.) c. 39.
33 G. 3. (1.) c. 25.
38 G. 3. (1.) c. 50.
or

39 G. 3. (1.) c. 55.

49 G. 3. c. xx.

Exception.

Distinct Apartments and Yards for different Classes of Prisoners, and other Accommodations.

or Ordinary of the New Prison in *Dublin*; and so much of an Act passed in the Thirty ninth Year of the Reign of His present Majesty, intituled, *An Act to promote the building of new Gaols*, as relates to the building of Gaols; all which said Acts were passed in *Ireland*; and also so much of an Act passed in the Forty ninth Year of His Majesty's Reign, intituled, *An Act to alter and amend an Act of Parliament of Ireland, passed in the Thirty third Year of His present Majesty, intituled, An Act respecting the Collection of Publick Money, to be levied in the County of the City of Dublin by Presentment, and for the better Regulation of the Mode of Election and Office of Treasurer of the Publick Money of the City of Dublin*, as relates to the Bills of Apothecaries for Medicines and Necessaries provided for Prisoners, or to any Presentment for the same; shall be repealed: Save so far as the said Acts or any of them repeal any former Act or Acts of Parliament, or any Clause, Matter or Thing therein; and also save and except as to any Proceeding for the Punishment of any Person or Persons for or in respect of any Offence or Offences which shall before the Commencement of this Act have been committed against any One or more of the said Acts; and also save and except that all and every Presentment and Presentments made by any Grand Jury, and all and every Appointment or Appointments of any Officer or Officers or other Person to perform any Duties under the said recited Acts or any of them, and all and every Act and Deed or Acts and Deeds which on or before the said Day shall have been lawfully made or done under or by virtue of any One or more of the said Acts, shall stand and be of the same Force, Validity and Effect (unless herein expressly otherwise provided) as if this Act had not passed; and also save and except that all and every Medicines, Necessaries, Materials or Workmanship, which shall have been lawfully furnished or done under or by virtue of any One or more of the said Acts, shall be paid for in the same manner in all respects as if this Act had not passed.

II. And be it enacted, That every Gaol, Bridewell, House of Correction, Marshalsea, Penitentiary House, Sheriff's Prison and other Prisons in *Ireland*, of what Nature or Kind soever the same shall be, shall consist of Two separate Parts, One for Male, and One for Female Prisoners, with a complete Division between them so as to prevent any Intercourse between the said Male and Female Prisoners; and that to each of the said Parts there shall be annexed and belonging a Yard of sufficient Dimensions to enable the said Prisoners to have the Benefit of fresh Air and Exercise therein; and that in every such Yard there shall be a Bath, and also a Necessary House or Privy to which such Prisoners respectively shall have free Access at all times as far as the same can be consistently with the safe keeping of such Prisoners; and that there shall be in every such Yard a good Water Pump; and that in every such Prison there shall be a Common Hall or Kitchen for Males and another for Females; and that in every County Gaol there shall at the Male Side be Two Yards provided as aforesaid, One for Debtors and King's Evidence and the other for Prisoners accused of Crimes; and Three Common Halls, One for Debtors and King's Evidence, One for Persons charged with Treason or Felony and One for Persons charged with or convicted of inferior Offences; and that the Apartments for the Prisoners in every such Prison shall be dry and airy, and shall if possible be so

numerous as to afford a separate Room or Cell for each Prisoner to sleep in, and that in every such Prison there shall be One or more Room or Rooms, Cell or Cells, according to the Size of such Prison, fit for the Reception and solitary Confinement of Persons of insane Mind, or of outrageous Behaviour, as also a Chapel or Room appropriated for Religious Purposes, and One or more Infirmary or Infirmaries, or Room or Rooms for the Reception of Sick Prisoners, with suitable Rooms or Closets belonging thereto respectively; and also One or more Room or Rooms fit for and which shall be appropriated to the Exercise of Trades and Industry; and it shall not be lawful to build any Gaol or other Prison in *Ireland* which shall not be on such a Plan and of such Dimensions as to afford all and every the Accommodations and Advantages aforesaid respectively.

III. And be it enacted, That all and every the Expence of building, purchasing, procuring, altering, enlarging and repairing the Marshalsea of the Four Courts in *Dublin*, and all and every Penitentiary House or Houses in *Ireland* shall be discharged, and all and every Rent payable for or in respect thereof, or of the Ground or Appurtenances thereof respectively, shall be paid out of the Consolidated Fund of *Ireland*, and the said Expences of all County Prisons, whether Gaols, Bridewells, Houses of Correction, Sheriffs' Prisons or otherwise, shall be defrayed by the respective Counties, Counties of Cities and Counties of Towns, by Presentments on the said Counties, Counties of Cities, or Counties of Towns, to be made by the Grand Juries thereof respectively; (to wit) in the County of *Dublin*, and County of the City of *Dublin*, at the presenting Terms, and in the other Counties, Counties of Cities and Counties of Towns, at their respective Assizes, save as hereinafter particularly mentioned.

Expences of building, &c. Marshalsea of the Four Courts, and Penitentiary Houses and Rent paid out of Consolidated Fund of *Ireland*.

Gaols, &c. paid by Presentments.

IV. And be it enacted, That all Presentments by this Act required to be made in the County and County of the City of *Dublin* for the Purposes of this Act, shall be good, valid and effectual to all Intents and Purposes, and shall and may be paid and applied to the Purposes of this Act, in addition to the Amount of any Presentments which may by Law be made in the said County and County of the City under and by virtue of any Act or Acts in force in *Ireland* at the time of the passing of this Act.

Presentments in *Dublin* to be in addition to all others authorised by Law.

V. And be it enacted, That it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, to order and direct, whenever he or they shall think proper, that the said Marshalsea of the Four Courts shall be altered, enlarged or repaired, or that a New Marshalsea shall be built on the same or any other Scite or Situation, and on any Plan comprizing the Accommodations and Advantages in that respect before mentioned, which he or they shall think proper, and in like manner that any Penitentiary House or Houses shall be built, altered, enlarged or repaired at such time or times on such Plan or Plans comprizing the said Advantages, and in such Place or Places as he or they shall think proper, and to issue his and their Order to the Board of Works for the executing of such Work accordingly, who shall cause the same to be executed according to such Order, in such way, whether by Contract or otherwise, as shall be directed by such Order, and for Default of such Direction, then in such way as the said Board shall think proper.

Lord Lieutenant to order enlarging, &c. of Marshalsea, &c.

Expences for
County Prisons
paid by Present-
ment on Counties.

Pipes to be laid
down.

Traverse to Pre-
sentment.

Sum found by
Grand Jury
tendered.

VI. And be it enacted, That it shall and may be lawful for the Grand Juries aforesaid, at the Assizes and Presenting Terms respectively, and they are hereby required from time to time to enquire into the State of the Gaols, Bridewells, Houses of Correction, and other Prisons of their respective Counties, Counties of Cities and Counties of Towns, and if they shall find them or any of them in want of Repair or deficient in any of the Accommodations or Advantages aforesaid, they are hereby empowered and required to present such Sum or Sums as shall be deemed necessary to remedy such Deficiency, whether by enlarging or altering the same, or by providing a New Prison in lieu thereof, or by building any new and additional Bridewell or Bridewells or House or Houses of Correction, or to effectuate such Repair as may be necessary, and to contract and agree with any Person or Persons for building, rebuilding, finishing, repairing, altering or enlarging any Gaol, Bridewell, House of Correction, or other Prison as aforesaid, or any Buildings or Conveniencies belonging thereto, at a certain Sum, Payment or Allowance for the same, such Contractor or Contractors giving sufficient Security by Recognizance in double the Sum to be contracted for, and to be approved of by such Grand Jury for the due Performance thereof, to the respective Clerks of the Peace for such County, County of a City or County of a Town; and it shall be lawful for the Grand Jury at any Assizes or Presenting Term to present One or more Main or Mains or Pipes, of such Bore or Bores as they shall think proper, to be laid in the most convenient Line to convey Water to any such Gaol or other Prison whenever they shall find it possible and deem it expedient so to do, and shall have the Consent of the Owner or Owners of the Water so to be conveyed, and accordingly at all times to convey Water through the same, and to present such Sum or Sums as shall be necessary for the Purpose, and also to present at each Spring Assizes or Easter Term a reasonable Sum to be raised upon the County, County of a City or County of a Town, and paid as a Rent for the Use of the Water to be so conveyed, if the same shall be demanded: Provided always, that if any Person or Persons shall think they may be injured by the passing of such Pipes or Watercourses through their Lands, they may at the said Term or Assizes or at the Term or Assizes immediately following, enter in open Court a Traverse to the said Presentment, and the Jury trying such Traverse shall true Verdict give, whether any and what Damage will arise to the Person or Persons so traversing, and the Verdict so found shall be conclusive to the Party or Parties, and either in the same or the next succeeding Term or Assizes the Grand Jury of the said County, County of a City, or County of a Town, may present such Sum so found, to be raised upon the County at large and paid to such Traverser or Traversers; and upon the Sum so found being paid or tendered, it shall be lawful for the Overseers or Persons employed by them, to proceed to cause the said Main or Pipe to be laid or Watercourse to be made; and if any Person or Persons shall at any time obstruct the Overseers or the Person or Persons employed in laying such Main or Pipe or making such Watercourse, and shall be convicted thereof before any One Justice of the Peace for the said County, County of a City or County of a Town, either upon Confession of the Party accused or upon the Oath of One credible Witness, every such Person shall, for any such Offence, forfeit the Sum of Five Pounds,

Pounds, to be paid to the Treasurer of the County, County of a City or County of a Town, to be by him placed to the Credit of the County, County of a City or County of a Town, to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so offending, upon the Warrant of the Justice of the Peace before whom Complaint shall be made. Penalty.

VII. And, the better to preserve such Pipe, Main or Watercourse, when laid or made, Be it enacted, That if any Person or Persons shall wilfully destroy or injure any Part of the said Pipe or Main or Watercourse, or of any Pipe, Main or Watercourse, through which Water shall be conveyed to any Prison in *Ireland*, or to any of the Yards or Buildings thereto belonging, so as to prevent the Water from regularly and fully flowing to the same, or shall insert any Cock or Pipe into any Part of such Main, or make any Cut to divert the Water thereof to any other Purpose, and shall upon Indictment be convicted thereof, he or they shall be committed to the County Gaol, and shall therein remain in close Confinement for One Year, or until he or she shall pay a Sum of Fifty Pounds, One Half thereof to the Treasurer of the County, to be by him placed to the Credit of the County, and the other Half to the Person or Persons who shall discover and cause the said Offender or Offenders to be convicted. Damaging Pipes. Penalty.

VIII. Provided always, and be it enacted and declared, That nothing in this Act shall extend to authorize any such Grand Jury or Grand Juries, and that it shall not be lawful for any Grand Jury to begin to build or rebuild any such Gaol, Bridewell, House of Correction, or any other Prison, until the Plan and Scite thereof, and also the Contract or Contracts upon which the same is proposed to be built or rebuilt, shall have been previously agreed to and approved of by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, and that it shall not be lawful for the Grand Jury to vary or depart from the Plan so agreed to and approved. Plan of Building to be approved by Lord Lieutenant.

IX. And be it enacted, That all Bridewells which shall be built, repaired, purchased or taken at a Rent under this Act, shall be deemed and taken to be County Bridewells to all Intents and Purposes, as if built under the Provisions of any of the Acts hereby entirely or in Part repealed. Bridewells.

X. And whereas Fires or other sudden Accidents may happen in any of the said Gaols, Bridewells, Houses of Correction, or other Prisons, and in such case it may be necessary that such Gaol, Bridewell, House of Correction, or other Prison, should be repaired before there can be any Opportunity to make Provision for the same as aforesaid; Be it enacted, That in case any Fire or other sudden Accident shall happen in any of the Gaols, Bridewells, Houses of Correction, or other Prisons aforesaid, it shall and may be lawful to and for the High Sheriff or Sheriffs of such County, County of a City or County of a Town, to cause an Estimate and Valuation to be then forthwith made of the Sum necessary to be expended on the Repair and Preservation of such Gaol, Bridewell, House of Correction, or other Prison, and that thereupon it shall and may be lawful for any Three or more Justices of the Peace for such County, County of a City or County of a Town, after having jointly inspected the said Damage, to make an Order under their Hands and Seals on the Treasurer of such County, County of a City or County of How Gaols repaired in case of Accidents. Justices of Peace may make Order.

of a Town, to pay or advance to any Person or Persons specified in such Order, such Sum or Sums as may be necessary to complete such Repair, not exceeding the Sum of One hundred Pounds, which Sum or Sums the said Treasurer is hereby required to pay, provided he has in his Hands Money of the said County, County of a City or County of a Town, sufficient for that Purpose, which Sum so paid shall be replaced by Presentment to be made for that Purpose, in manner aforesaid, at the first Opportunity which shall occur after the Payment thereof.

Presentment for
Rent of Gaols,
&c.

XI. And be it enacted, That in every County, County of a City or County of a Town, in which a certain Rent is or shall be payable for the Gaol, Bridewell, House of Correction, or other Prison of such County, County of a City or County of a Town, or any Part thereof, or any of the Appurtenances thereof, the Grand Juries of such Counties, Counties of Cities or Counties of Towns respectively, at their Assizes or Presenting Term, shall present yearly such Rents to be raised upon their respective Counties, Counties of Cities or Counties of Towns; and the Money so presented and confirmed as aforesaid, shall be raised and paid to such Persons to whom such Rents are or shall be respectively payable, without any Deduction whatsoever.

Expences pre-
sented and raised
by Half-yearly
Instalments.

XII. And be it enacted, That if at any time it shall be thought proper to build a new Gaol, Bridewell, House of Correction, or other Prison, and the Sum which shall be necessary for that Purpose shall be greater than it may be proper to raise on any County, County of a City or County of a Town, in One Half Year, then, and in every such Case, it shall be lawful to present in the first Instance the whole Sum to be expended therein; and to direct in and by such Presentment that the same shall be raised on the County, County of a City or County of a Town, by any Half-yearly or yearly Sums or Instalments, in manner and at the times therein specified, and the same shall be so raised accordingly: Provided always, that it shall be lawful for any subsequent Grand Jury to present that any of the said Instalments shall be increased to any Sum that shall be found necessary or proper.

Lord Lieutenant
to advance to
Treasurers of
Counties the
Sums presented,
to be repaid out
of such Instal-
ments.

XIII. And, for the more speedy Completion of any such Work, Be it enacted, That as soon as such Presentment shall be made, or at any time or times after the making of such Presentment, and before the Completion of such Work, it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, if he or they shall think proper so to do, to cause to be advanced out of the Consolidated Fund to the Treasurer of such County, County of a City or County of a Town, on the Faith of such Presentment, the whole of the Sum so presented, or so much thereof as shall not have been raised or received at the time of such Advance, or any Part, Share or Proportion thereof; such Sum or Sums to be applied by such Treasurer to the Purposes of such Presentment, in the same manner in all Respects as if the same had been raised by or under the same, and to be repaid by such Treasurer for the time being to the Collector of Excise of the District, but without Interest, out of such Instalment or Instalments as may be specified at the time of advancing the same, a Certificate whereof shall be given without Stamp by such Treasurer at the time of receiving such Money; and that if any Person

or Persons shall at any time think proper to advance any such Sum or Sums on the said Terms, then, and in every such Case, such Treasurer for the time being shall give to every Person so making such Advance, a Certificate of such Advance without any Stamp, stating therein out of what yearly or Half-yearly Instalment or Instalments, and in what Proportions, if in more than One Instalment, the same is to be repaid; and the same shall be so repaid accordingly by such Treasurer for the time being, to such Person, his Executors or Administrators.

XIV. And be it enacted, That when any Presentment shall be made for building, enlarging or altering any Gaol, Bridewell, House of Correction, or other Prison as aforesaid, it shall and may be lawful for the Grand Jury making such Presentment, to appoint not less than Six nor more than Twelve Persons to be Commissioners for causing the said Presentment to be carried into Execution and Effect; and if they shall not do so, or if any of the Persons so appointed shall die, or shall cease to act as such Commissioner before such Work shall be completed, then, and in every such Case, it shall and may be lawful for any succeeding Grand Jury to appoint such Commissioners, or to complete the Number thereof, as the case may require, or to add to the same, but so as that there shall not at any one Time be more than Twelve such Commissioners; and any Three or more of such Commissioners shall be in all Cases competent to do any Act which the Whole of the said Commissioners could or might lawfully do.

Appointment of Commissioners of Works.

XV. And be it further enacted, That the said Commissioners after such Presentment made as aforesaid shall give Notice of such Presentment having been made Three Times at least in some publick Newspaper circulating in or near the County, County of a City or County of a Town, of their Intention of contracting with any Person or Persons for building, rebuilding, repairing, finishing, altering or enlarging any such Gaol, Bridewell, House of Correction, or other Prison, or for the laying such Main or Pipe to such Gaol, Bridewell, House of Correction or other Prison as aforesaid, or for doing any Part or Parts of any such Work, and every such Contract or Contracts shall be made at the most reasonable Price or Prices which shall be proposed by such Contractor or Contractors, as shall be deemed by the said Commissioners the most proper and responsible Persons to carry such Contract or Contracts into Execution respectively; and all Contract or Contracts when agreed upon and confirmed by the Lord Lieutenant in manner aforesaid, shall be entered by the Clerk to the said Commissioners, in a Book to be kept by the said Commissioners, which Book, when such Works are completed, shall by the said Clerk to the Commissioners be delivered to the respective Clerks of the Peace for the time being, who are hereby required to keep the same among the Records of the County, County of a City or County of a Town, to be from time to time inspected at all reasonable Times by any Grand Jurors in their respective Counties, Counties of Cities or Counties of Towns, or by any Person or Persons employed or to be employed by or on Behalf of any such County, County of a City or County of a Town, without Fee or Reward.

Grand Juries may make Contracts.

XVI. And be it enacted, That all and every the Grand Juries aforesaid, after Presentment made as aforesaid, shall have full Power

Grand Juries may rent or purchase Houses,

Grounds, &c.
adjoining, to en-
large Gaols, &c.

and Authority to rent or purchase any Houses, Buildings, Lands, Tenements or Hereditaments which may be necessary for the Scite of such new Gaol or other Prison or adjoining to such old Gaol or other Prison, for the Purpose of enlarging the same, or the Courts or Outlets thereunto belonging, and to direct the Houses, Buildings, Lands, Tenements and Hereditaments so rented or purchased, to be conveyed to such Commissioners as the said Grand Jury or Grand Juries shall have so appointed as aforesaid, and to their Heirs, Executors, Administrators and Assigns, in trust and for the Uses and Purposes aforesaid.

Persons inter-
ested may sell.

XVII. And be it further enacted, That it shall and may be lawful to and for all Bodies Politick and Corporate, Trustees, Guardians of Infants, Committees of Lunatics or Idiots, Femes Covert with their Husbands, and all other Persons whatsoever, who are or shall be seised or possessed of, interested in, or entitled unto any Estate or Interest in any manner whatsoever in the Grounds, Houses, Tenements, Edifices, Erections or Buildings, which by the said Grand Juries respectively shall be thought necessary to be rented or purchased, for any of the Purposes of this Act, by Deeds indented and inrolled, to demise, sell and convey all or any such Grounds, Houses, Tenements, Edifices, Erections or Buildings, or any Part thereof, and all the respective Estates and Interests therein, to the said Commissioners and their Heirs and Successors; and that all Contracts, Agreements, Bargains, Sales and Conveyances which shall be so made by such Persons as aforesaid, shall be good and valid in the Law to all Intents and Purposes whatsoever; and that such Commissioners and their Heirs and Successors shall be Trustees of all such Houses, Lands, Tenements and Hereditaments, as shall be conveyed to or vested in them, under or by virtue of this Act, for the Purposes herein provided, and no other.

Jury summoned
if Refusal to
sell, &c.

XVIII. And be it further enacted, That if any Body or Bodies Politick or Corporate, or other Person or Persons having or claiming to have any Estate, Title, Term or Interest in or to such Grounds, Houses, Tenements, Edifices, Erections or Buildings as aforesaid, or any Charge, Lien or Incumbrance thereon, shall refuse to agree with the said Grand Juries respectively, for the Sale and Conveyance of their respective Rights, Terms and Interests therein, or shall not produce or evince a clear Title to such Estate, Rights, Titles, Terms or Interests, as they shall or may so claim, or if the said Grand Juries respectively shall be ignorant who are entitled to the same, then, and in every or any such case, it shall and may be lawful to and for the said Commissioners, or any Three or more of them, and they are hereby empowered and authorized from time to time to issue a Warrant or Warrants, Precept or Precepts, to the Sheriff of the County, County of a City or County of a Town, who is hereby authorized, directed and required accordingly to impanel, summon and return a competent Number of substantial Persons qualified to serve on Juries not less than Sixty, out of which Persons so to be empannelled, summoned and returned, a Jury of Twelve Persons shall be drawn, by some Person to be by the said Commissioners or any Three or more of them appointed, in such manner as Juries for the Trials of Issues joined in His Majesty's Four Courts at *Dublin*, by an Act made in *Ireland* in the Twenty ninth Year of His late Majesty King *George* the Second, intituled, *An Act*
for

Pannel.

for the better regulating Juries, are directed to be drawn, which Persons so to be empannelled, summoned and returned as aforesaid, are hereby required to come and appear before the said Commissioners, or any Three or more of them, at such Time and Place as in such Warrant or Warrants, Precept or Precepts, shall be directed and appointed, and to attend the said Commissioners, or any Three or more of them, till discharged by them; and all Persons concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not be at Liberty to challenge the Array.

Jurymen may be challenged, but not the Array.

XIX. And be it further enacted, That in all cases of Trials by Juries before the said Commissioners, or any Three or more of them, where a full Jury shall not appear before them, or where, after the Appearance of a full Jury, it shall so happen, either by means of Challenges or otherwise, that there shall be a Default of Twelve Jurors for such Trial, it shall and may be lawful to and for the said Commissioners, or any Three or more of them, to command the Sheriff of the County, County of a City or County of a Town, to empannel so many other Persons as shall make up a full Jury of Twelve Men, which Persons so to be empannelled shall be added to the former Pannel; and all Parties interested in such Trials shall have their Challenges to the Jurors so added to the former Pannel as if they had been originally summoned; and the said Commissioners, or any Three or more of them, are hereby authorized and empowered by Precept or Precepts, from time to time, as Occasion shall require, to call before them all and every Person and Persons whatsoever who shall be thought proper or necessary to be examined as a Witness or Witnesses before them, on their Oath or Oaths, touching or concerning the Premises; and the said Commissioners, or any Three or more of them, if they shall think fit, shall and may likewise authorize and require the said Jury to view the said Grounds, Houses, Tenements or Buildings intended to be valued or purchased; and the said Commissioners, or any Three or more of them, shall have Power to adjourn such Meeting from Day to Day and Place to Place, as Occasion shall require, and to command such Jury, Witnesses and Parties to attend until the Business for which they shall be so summoned by virtue of this Act shall be concluded; and the said Jury shall upon their Oaths (which Oaths, as also the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Commissioners, or any Three or more of them, are hereby required and empowered to administer) fairly, truly and impartially enquire of the Value of such Grounds, Houses, Tenements and Buildings, and of the respective Estate, Right, Title, Term and Interest of every Person or Persons seised or possessed thereof, or interested therein, or of or in any Part thereof, and shall assess or award the Sum or Sums to be paid to every such Person or Persons for the Purchase of such their respective Estates, Right, Titles, Terms and Interests, and shall also enquire, ascertain and find all and all manner of Charges and Incumbrances and Liens thereon, and the Amount of the Sum or Sums due thereon respectively, and what Estate and Estates therein are subject to any such Liens or Charge; and the said Commissioners, or any Three or more of them, shall and may give Judgment for such Sum and Sums so to be assessed as and for the Value of the said several Estates in the said Lands, Tenements and Hereditaments, and for the Payment thereof respectively in manner hereinafter mentioned;

On default of Twelve Jurors, others summoned.

Liberty of calling Witnesses.

Commissioners may authorize Jury to view.

Power of Adjournment.

Notice.

Party not found,
&c.

Judgments writ-
ten on Parch-
ment.

Proceedings re-
gistered.

Conveyance made
on Payment.

When Titles not
clear, &c. Pur-
chase Money
lodged in Bank of
Ireland.

which said Verdict or Verdicts, and the said Judgment, Decree or Determination thereupon (Notice in Writing being first given to the the Person or Persons interested, at least Fourteen Days before the time of the First Meeting of the said Jury, declaring the Time and Place of such Meeting of the Commissioners and Jury, by leaving such Notice at the Dwelling House of such Person or Persons, or at his, her or their usual Place or Places of Abode, or with some Tenant or Occupier of the Houses, Buildings or Ground intended to be valued or assessed, in case such Party shall not be known or cannot be found in the County, County of a City or County of a Town, and also in the *Dublin Gazette*) shall be binding and conclusive to all Intents and Purposes whatsoever, against all Bodies Politick or Corporate, Infants, Lunatics, Idiots, Females Covert and Persons under any legal Disability, and against all and every Person and Persons whatsoever, his, her or their Heirs, Successors, Executors and Administrators having or claiming to have or claim any Estate, Right, Trust, Use or Interest in, to or out of the said Grounds, Houses, Tenements, Buildings and Premises, either in Possession or Reversion, Remainder or Expectancy, or in any manner whatsoever, or any Charge, Lien or Incumbrance thereon; which said Verdicts, Judgments and Decrees, and all other Proceedings of the said Commissioners, and such Judgments, to be made, given and pronounced as aforesaid, shall be fairly written on Parchment, and signed and sealed by the major Part of the said Commissioners who were present and pronounced such Judgments and Decrees; and all Verdicts of the said Juries, and all Judgments, Decrees, Orders and other Proceedings of the said Commissioners, shall be entered in the Rolls Office of His Majesty's High Court of Chancery in *Ireland*, and the same, or true Copies thereof, shall be deemed and taken to be good Evidence thereof in any Court of Law or Equity whatsoever.

XX. And be it further enacted, That upon Payment of such Sum and Sums of Money so to be awarded and adjudged as follows; (that is to say) First, in or towards the Payment and Discharge of the Sums due on the said Charges, Incumbrances and Liens, if any so found, to affect the several Estates therein respectively, and then to the Owners of the said Estates respectively, if any shall remain for that Purpose, that the Person or Persons who shall be so found and adjudged to be the Owners of the said several Estates of and in the said Grounds, Houses, Tenements or Buildings respectively, and also the Owners of the said Incumbrances, Charges and Liens respectively, shall make and execute or procure to be made and executed to the said Commissioners and their Heirs and Successors a good and sufficient Conveyance or Conveyances, thereby granting, releasing or assigning to them the said Grounds, Houses, Tenements or Buildings, and all such Estate, Right, Title, Term or Interest therein, or Charge, Incumbrance or Lien thereon so awarded as aforesaid; and in case such Person or Persons shall not be able to evince his, her or their Title to the Premises, or to any such Charge, Incumbrance or Lien thereon, or make or procure or be made such valid and legal Conveyance or Conveyances thereof, or shall refuse so to do, being thereunto required, and such Sum or Sums so assessed and awarded as aforesaid, being tendered to be paid in manner aforesaid, on their making such Title and executing or procuring to be executed such Conveyance or Conveyances as aforesaid, or in case such Person or Persons cannot be found

found in the said County, or in case, by reason of Disputes or Differences, or for Defect of Evidence, it shall not appear to the said Commissioners or Jury what Person or Persons is or are entitled to the Premises in question, or to any Charge, Incumbrance or Lien thereon, or whether any Charge, Incumbrance or Lien appearing to them by the Registry or otherwise to have existed, remains either in the whole or in part in force or undischarged, then, and in every such case, as aforesaid, it shall and may be lawful to and for the said Commissioners, or any Three or more of them, to pay into and deposit in the Bank of *Ireland*, with the Privy of the Accountant General of the Court of Chancery of *Ireland*, the Sum or Sums so assessed or awarded as the Value of and Purchase Money for the said Grounds, Houses, Tenements and Buildings, or any particular Estate or Interest therein; and the said Court of Chancery is hereby empowered in a summary way, upon the several Petitions of the respective Parties, to hear, judge of and determine, as well by Examination of Witnesses upon Oath as by all Ways and Means which the said Court shall think proper, the several Rights, Claims and Demands of all Persons interested in or unto the several Grounds, Houses, Tenements and Buildings which shall be so valued and of which the Price shall be so paid into the said Bank, and also of all Persons having or claiming to have any Charge, Incumbrance or Lien thereon as aforesaid, and to ascertain and make Orders for the Payment unto such Person and Persons respectively, according to their several Interests, Estates and Claims aforesaid, as the said Court of Chancery shall judge fit, without any Deduction for Poundage, which Orders in such case shall be final and conclusive upon all Persons and Bodies whatsoever; and immediately upon such Payments and Entry of such Verdicts of the said Juries, and Judgments and Sentences, Decrees, Orders and other Proceedings of the said Commissioners as aforesaid, the said Grounds, Houses, Tenements, Buildings and Premises shall vest in the said Commissioners and their Heirs, and they shall be deemed in Law to be in the actual Seisin and Possession thereof to all Intents and Purposes whatsoever, as fully and effectually as if every Person having any Estate in the Premises in Possession, Remainder, Reversion or Expectancy, or any Charge, Incumbrance or Lien thereon, was of full Age and of sound Mind and Memory, and had actually and duly conveyed the same to the said Trustees by Lease and Release, Bargain and Sale inrolled, Feoffment with Livery and Seisin, Fine and Recovery, or by any other legal Conveyance whatsoever.

Court of Chancery to determine Claims.

Final.

XXI. And be it further enacted, That in case any Feme Covert is or shall be seised in Fee Simple or in Fee Tail of any such Lands, Tenements or Hereditaments so to be purchased as aforesaid by the said Commissioners, or of any Interest in the same, or of any Charge, Incumbrance or Lien thereon, to her separate Use, free from the Controul or Intermeddling of her Husband, the Purchase Money to which such Feme Covert shall become or be entitled as aforesaid, shall be paid to such Person or Persons as she shall in Writing under her Hand nominate to receive the same, in trust to be re-invested in Lands, Tenements or Hereditaments to be conveyed as aforesaid, and settled for such Use, Estate and Interest as the same Feme Covert had in the Premises so purchased.

Femes Covert seised in Fee Simple, &c.

XXII. Provided nevertheless, and be it enacted, That where any such

Proviso.

such Charge, Incumbrance or Lien shall also extend over and be a Charge, Incumbrance or Lien on any Lands, Tenements or Hereditaments other than those which shall be so conveyed to or vested in the said Commissioners, then, and in such case, neither this Act nor any Conveyance to be made as aforesaid, shall in any Respect discharge, affect or alter the Force, Validity or Effect of such Charge, Incumbrance or Lien so far as relates to such other Lands, Tenements or Hereditaments, but that as to all such the same shall continue to be a good, valid and subsisting Charge, Incumbrance and Lien for so much thereof as shall remain unpaid, in the same manner in all respects as if this Act or any thing done under the same had not existed, but not further or otherwise.

Conveyance
inrolled.

XXIII. And be it further enacted, That the Conveyance of any Estate or Interest to the said Commissioners and their Heirs and Successors, by Bargain and Sale, and inrolled in the Rolls Office of His Majesty's High Court of Chancery in *Ireland*, within Six Months after making thereof, shall as effectually and absolutely convey the Estate of the Person so conveying as any Fine or Recovery would or could do if levied or suffered in due Form of Law.

Tenant at Will,
&c. to deliver up
Possession.

XXIV. And be it further enacted, That every Tenant at Will or Lessee for a Year or from Year to Year only, in Possession of any such Grounds, Houses or Buildings, or any Part thereof, which shall be purchased as aforesaid, shall deliver up the Possession of such Premises immediately to the said Commissioners, or to such Person or Persons as the said Commissioners, or any Three or more of them, shall appoint to take possession of the same, in case the said Commissioners, or any Three of them, or such Person authorized by them, shall pay or tender to him, her or them, Six Months Rent of the said Premises, at the Rate payable by such Tenant for his entire Holding, or in case the said Commissioners, or any Three or more of them, shall give him, her or them Six Months Notice to quit such Possession of such Part, in the same manner as the Landlord of such Tenant might give him Notice to quit Possession of the entire Holding, then such Person or Persons in Possession, shall, at the End of the said Six Months, at whatever time of the Year the same shall be, or as soon after as he or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Commissioners, or to any other Person or Persons authorized by the said Commissioners, or any Three or more of them, to take Possession thereof; and that in case any such Person or Persons in Possession as aforesaid shall refuse to give up Possession as aforesaid, then it shall and may be lawful to and for the said Commissioners, or any Three or more of them as aforesaid, to issue their Precept or Precepts to the Sheriff or Sheriffs of the County, County of a City or County of a Town, in which such Tenements shall be, commanding him or them by virtue of this Act to deliver Possession of the said Premises to such Person as shall in such Precept or Precepts be nominated to receive the same, and the said Sheriff or Sheriffs are hereby required to deliver such Possession of the said Premises accordingly.

Refusing.
Proceedings.

Costs, &c. paid
by Commissioners
allowed.

XXV. And be it further enacted, That all Sums of Money or other Recompence, Consideration or Satisfaction to be paid and made pursuant to any such Agreement or Verdict as aforesaid, and all such Costs, Charges and Expences, as the said Commissioners or their Heirs or Successors, or any of them shall be at, or put to, in the Execution

Execution of the Trusts and Powers hereby vested in them, shall be paid by the Treasurer of the County, County of a City or County of a Town, out of the Sums so presented as aforesaid.

XXVI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Three or more of them, from time to time, to impose any reasonable Fine not exceeding Twenty Pounds on any Sheriff or Sheriffs, or their Deputy or Deputies, Bailiffs or Agents respectively, who shall make default in the Premises, and on any Person or Persons who shall be summoned and returned on any such Jury or Juries who shall not appear, and also on any Witness or Witnesses who shall not attend, or shall refuse to be sworn or to give Evidence to the said Commissioners, or any Three or more of them, or to any Jury so impanelled before them, and on any Person or Persons summoned and returned on any such Jury or Juries who shall refuse to be sworn on any such Jury or Juries, or to give his, her or their Verdict, or shall in any other manner wilfully avoid or neglect his or their Duty in or touching the Premises, and from time to time to levy such Fine or Fines by Order of the said Commissioners, or any Three or more of them as aforesaid, as the Case may require, by Distress and Sale of the Offender's Goods, together with the reasonable Charges of every such Distress and Sale, returning the Overplus (if any) to the Owner; and all such Fines which shall be so recovered and received shall be applied to the Purpose of such Presentment.

Sheriff, &c. making Default.

Penalty.

XXVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Three or more of them, at any time or times hereafter, under their Hands and Seals, to nominate and appoint such Person to be and act as their Clerk as they shall think fit, for such Matters as may be necessary to be done in the Execution of the Powers and Authorities hereby given to the said Commissioners, provided that no such Clerk shall at any time be a Commissioner under this Act, and that such Clerk shall from time to time be removable, and may be removed at the Will and Pleasure of the said Commissioners, or any Three or more of them, by Instrument in Writing under their Hands and Seals; and that the said Commissioners, or any Three or more of them, shall and may make such Allowance or Salary unto such Clerk for his Care and Pains in the Execution of his said Office or Offices out of the Money so presented, as the said Commissioners, or any Three or more of them, shall think reasonable, not exceeding in any One Year Thirty Pounds: Provided always, that as soon as the Building or other Work for which such Commissioners shall have been so appointed as aforesaid shall be completed, and the Accounts of the same finally passed, then, and in every such case, the Office, Appointments and Powers of the said Commissioners and of such Clerks shall cease and determine.

Commissioners to appoint a Clerk.

Salary.

Proviso.

XXVIII. And be it enacted, That where a Sum not exceeding One hundred Pounds shall be duly presented as aforesaid for building any such Gaol, Bridewell, House of Correction, or other Prison or any Addition thereto, or for making any Alterations or Repairs therein, it shall be lawful for the Grand Jury at the same or any subsequent Assizes or Term, to present that such Part of the Sum so presented as they may judge proper, shall be paid in advance to the said Commissioners so appointed to conduct the Execution of such Works,

Sums to be paid in advance to Commissioners.

Works, or any One or more of them, upon his or their entering into a Recognizance before the Court in double the Sum so to be advanced, conditioned that he or they shall apply the Money so to be advanced for the Purposes for which the same was so presented and none other, and that he or they shall, at the next and every succeeding Assizes or Term respectively, justly and fairly account for the same according to Law, until the whole of such Money shall be finally accounted for, and that he or they, or his or their Heirs, Executors or Administrators, shall at any time pay to the Treasurer for the time being of the said County, County of a City or County of a Town, any Balance or Part of such Money which shall not by such Accountant appear to have been applied for the Purposes aforesaid.

Commissioners
to account.

XXIX. And be it further enacted, That such Commissioners shall, at every ensuing Assizes or Term as aforesaid, lay before the Grand Jury and the Court a just and fair Account in Writing of all and every Expenditure and Expenditures of such Money so to be advanced to them, and the particular Purposes for which the same was expended, and the Quantities and Price of each Material bought therewith; and such Account shall be verified by Affidavit in Writing at the Foot thereof, to be made in open Court by One of the said Commissioners, and shall state that the whole of the Money was so expended for the sole Purpose of executing the Work so presented pursuant to the Presentment thereof; and when any such Work shall be finished, and the Accounts of the said Commissioners approved of and passed by the Grand Jury and the Court, it shall be ordered that all such Recognizances so entered into shall be vacated on the last Day of the next Assizes or Term, and they shall be vacated accordingly, unless upon some sufficient Complaint laid before the Court or the Grand Jury sufficient Cause shall appear to induce the Court to make an Order to the contrary; and provided if there be any Balance unexpended, a Certificate of the Treasurer of the County, County of a City or County of a Town, shall be laid before the Grand Jury and the Court, setting forth that he had received the said Balance and applied it to the Credit of the County, County of a City or County of a Town.

Approved by
Grand Jury, &c.

Commissioners
may raise Gravel.

XXX. And be it further enacted, That all Commissioners or other Persons duly authorized or employed in or for the building, altering, enlarging or repairing any Gaol, Bridewell, House of Correction, or other Prison in *Ireland*, or any of the Appurtenances thereof, shall, for such Purpose, have all and singular the same Powers of raising and carrying away Sand, Gravel, Stones, Earth or other Materials as are or shall from time to time be given by any Laws or Law in Force in *Ireland*, to the Overseers of the publick Roads, and subject to the same Regulations and Restrictions.

Prisoners to be
removed to new
Gaols when
built.

XXXI. And be it further enacted, That whenever any new Gaol, or other Prison so to be built and erected as aforesaid, shall be made fit for the Reception and safe keeping of such Prisoners as may be lawfully confined and imprisoned therein, and the said Commissioners, or any Three or more of them, shall give Notice thereof in Writing to the Sheriff or Sheriffs of such County, County of a City or County of a Town, or to either of such Sheriffs where there shall be Two, it shall and may be lawful for the said Sheriff or Sheriffs to remove to such new Gaol all such Prisoners as shall be then in Custody, who may lawfully be confined and imprisoned therein.

XXXII. And

XXXII. And be it further enacted, That whenever at any Assizes or Term it shall be ordered by the Court of King's Bench or Judges or Judge of Assize, that the Prisoners confined in any Gaol, Bridewell, House of Correction or other Prison, or any of them, shall be removed for the Purpose of repairing such Gaol, Bridewell, House of Correction or other Prison, or of using the Materials thereof, in building a new Gaol, Bridewell, House of Correction or other Prison, pursuant to any Presentment for such Purpose, or whenever on any sudden Accident an Order shall be made by Three Justices of the Peace as aforesaid for the Repairs of such Gaol, Bridewell, House of Correction or other Prison, and such Order shall direct the Removal of the Prisoners therein or any of them for the Purposes of making such Repair; then, and in any of the said Cases, it shall and may be lawful for the Sheriff or Sheriffs of such County, County of a City or County of a Town, to remove such Prisoners to any Gaol, Bridewell, House of Correction or other Prison belonging to such County, County of a City or County of a Town, or to such other Place or Places as, with the Consent of the said Sheriff, shall be specified in any such Order, and to confine them during the time such new Gaol, Bridewell, House of Correction or other Prison shall be building, or old Gaol, Bridewell, House of Correction or other Prison repairing; and when any such Gaol, Bridewell, House of Correction or other Prison so under Repairs shall be made fit for the Reception and Safe-keeping of such Prisoners, and the same shall be certified by the Commissioners thereof, if any, or any Two of them, or by any Three Justices of the Peace of such County, then it shall be lawful for the said Sheriff to remove thither all such Prisoners as shall be then in his Custody, and may lawfully be confined and be imprisoned therein; and the Expence of such Removal or Removals in any of the Cases aforesaid, and any Expence the said Sheriff shall be put to, for or by means of the safe Custody of the said Prisoners or any of them in such Gaol, Bridewell, House of Correction or other Prison, to which they may have been removed for any of the temporary Purposes aforesaid, shall be allowed and paid by such County, County of a City or County of a Town; and any such Removal or Removals shall not be deemed or taken to be an Escape.

Prisoners to be removed during Repairs, &c. of Prisons.

Places of Removal certified.

XXXIII. And be it further enacted, That when any new Gaol, Bridewell, House of Correction or other Prison, so to be built and erected, for any County, County of a City or County of a Town, or any old Gaol, Bridewell, House of Correction or other Prison thereof, which shall require any Addition thereto, shall be or be situate within the Limits of any other County, County of a City or County of a Town, then, and in every such Case, such new Gaol, Bridewell, House of Correction or other Prison, and all Additions which shall be so made to such old Gaol, Bridewell, House of Correction or other Prison, together with the Ground whereon the same shall be built respectively, and all Courts, Yards, Out-offices, Buildings, and other Appurtenances thereto belonging, shall, from the time of receiving Prisoners into such new Gaol, Bridewell, House of Correction or other Prison, or of completing such Addition, be deemed, taken and adjudged to be Part of the County, County of a City or County of a Town, to which such Gaol, Bridewell, House of Correction or other Prison shall belong, to all Intents and Purposes; and whensoever any Gaol, Bridewell, House of Correction or other

Gaols built, or Additions thereto, to be deemed belonging to County wherein situated.

other Prison of any County, shall cease to be a Prison of such County, County of a City or County of a Town, and shall be situate within the Limits of any other County, County of a City or County of a Town, then, and in every such Case, such Gaol, Bridewell, House of Correction or other Prison, with all its Appurtenances, shall from thenceforth be deemed and taken to be Part of the County, County of a City or County of a Town, wherein the same shall be so situate; any Charter, Law or Usage to the contrary thereof in any wise notwithstanding.

When new Gaols
are built, old
ones to be sold.

Purchase Money
paid to County
Treasurer.

How Commis-
sioners to act
where no regular
Conveyance of
Title, or where
Deeds lost, &c.

Provido.

XXXIV. And be it further enacted, That after any new Gaol, Bridewell, House of Correction or other Prison shall be erected and made fit for Reception of Prisoners, it shall be lawful for the Grand Jury of the County, County of a City or County of a Town, at any Assizes or Presenting Term, with the Consent of the Court, to present the old Gaol, Bridewell, House of Correction or other Prison, and the Ground or Soil thereof, to be sold by publick Cant, for such Estate or Interest as such County, County of a City or County of a Town, or any Person or Persons in trust for the same, possess therein; and the Money arising from such Sale shall be paid to the County Treasurer for the Use of the County, County of a City or County of a Town, or it shall be lawful for the said Grand Jury to present the said old Gaol, Bridewell, House of Correction or other Prison to be a Bridewell, Workhouse, House of Industry, or House of Correction or other Prison of any other Description for the said County.

XXXV. And be it enacted, That whenever it shall appear that Land has been given for the Scite of any old Gaol, Bridewell, House of Correction or other Prison, without regular Conveyance of Title, or that the Deeds of Conveyance have been lost or destroyed, or that by the Decease of Trustees or the Heirs of the surviving Trustee, or from any other Cause, no Person exists qualified to convey the legal Title to such old Gaol, Bridewell, House of Correction or other Prison, to any Purchaser, then, and in such Case, if the Gaol or Premises to be sold as aforesaid have been used as a Gaol for at least Seven Years, the Commissioners appointed according to this Act for the Purchase of a new Scite for a Gaol, Bridewell, House of Correction, or other Prison, shall be deemed and are hereby constituted legal Owners of the old Gaol, Bridewell, House of Correction or other Prison, in Fee or Fee Tail, or for such Term or Time as the same was originally granted for; and if no such Grant is known to have existed, then in Fee Simple, upon trust however to contract with a Purchaser and sell the same, and execute all Deeds and Conveyances necessary for that Purpose, and give a sufficient Receipt for the Purchase Money: Provided always, that such old Gaol, Bridewell, House of Correction or other Prison shall be sold to the best Bidder, after having been advertised for that Purpose in the *Dublin Gazette* or some other *Dublin* Newspaper for Three Months at least before the Terms of Sale shall be accepted, which Advertisements the Treasurer of the County, County of a City or County of a Town shall cause to be inserted and paid for, and for which he shall be repaid with lawful Interest, together with all Costs and Charges, out of the first Monies produced by such Sale; and after deducting such Money, and also the Expence attending the Sale, the Money produced thereby shall be applied to the Purchase of the
new

new Scite, and to building the new Gaol, Bridewell, House or Correction of other Prison.

XXXVI. And be it enacted, That when the Gaols, Bridewells, Houses of Correction or other Prisons of Two Counties, Counties of Cities or Counties of Towns, shall have been united and joined, it shall and may be lawful to and for the Grand Juries of the said Counties, Counties of Cities or Counties of Towns, or either of them, to present such Sums as they shall think fit for the building a new Gaol or Gaols, Bridewells, Houses of Correction or other Prisons, for the said Counties, Counties of Cities or Counties of Towns, or either of them, either together or separately, as the said Grand Juries respectively shall think proper, in the same manner in all respects; and the respective Parts thereby shall be subject to all the same Rules, Conditions and Consequences as if the same were separate.

Goals of Two Counties presented for, either together or separately.

XXXVII. And be it enacted, That whenever an Order shall be issued in manner aforesaid to the Board of Works for the building or enlarging of the Marshalsea of the Four Courts, or any Penitentiary House or Houses as aforesaid, it shall and may be lawful to and for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the time being, by Warrant under Hand and Seal, to appoint any Number of Persons not less than Six, nor more than Twelve, to be Commissioners for the Purpose of directing and superintending such Work, and to fill up from time to time in like manner all Vacancies that shall occur amongst the said Commissioners by Death, Resignation or otherwise; and that the said Commissioners so appointed shall have all and every the like Powers in all respects as to making Purchases, empannelling Juries, pronouncing Judgments, and all and every other the Matters and Things aforesaid; and all Things done by them or any other Person or Persons or Court, in pursuance of or under and in obedience to their said Powers, shall be of the like Force, Validity and Effect in all respects whatsoever, as concerning the Commissioners appointed by the said Grand Juries, or any Proceedings by or before them, is hereinbefore enacted.

Lord Lieutenant to appoint Commissioners to superintend Works of Marshalsea Four Courts and Penitentiary Houses.

XXXVIII. And be it further enacted, That it shall and may be lawful to and for the Court of King's Bench in Term Time, and to and for any Judge of the said Court in Vacation, either on the finishing of a new Marshalsea of the Four Courts, or on occasion of or for the Purpose of repairing such Prison, or on occasion of any infectious Disorder or sudden Accident, or on or for any other Reason, Purpose or Occasion of a like Nature in any respect, which such Court or Judge shall deem to be sufficient to order that the Prisoners in such Marshalsea, or any One or more of them, shall be removed to any other Prison specified in such Order, there to remain until discharged by due Course of Law, or until removed therefrom by another Order of the like Nature, or remanded to the said Marshalsea; and any such Removal shall not be deemed to be an Escape.

Judges may order Removal of Prisoners in Marshalsea Courts.

XXXIX. And be it enacted, That no Person or Persons, Body or Bodies Corporate or Politick, shall by themselves or any other Person in trust for them, give, take or receive any Fee, Money or Gratuity, or other valuable or beneficial Consideration whatsoever, or any Promise thereof, for or in respect of the Appointment, Nomination or Recommendation of any Person or Persons whatsoever to be Keeper of any Prison in *Ireland*, or to hold any Office under such Keeper, or knowingly appoint or cause or procure to be appointed any

Taking Fee for Appointment of Gaoler.

Penalty.

any Person or Persons to such Office, for or in respect of any Fee, Money, Gratuity or other valuable Consideration whatever given or promised to any Person or Persons whatsoever, for or in respect of such Appointment, or the obtaining of such Office; and each and every Person so offending shall forfeit the Sum or Penalty of Five hundred Pounds, together with Double the Sum so given as aforesaid; One Moiety of such Forfeiture to be paid to the King, and the other with full Costs of Suit to the Informer, who shall by Bill, Complaint or Information in any of His Majesty's Courts of Record first sue for the same.

Salary to Gaolers.

XL. And be it enacted, That all Grand Juries at the Presenting Terms in the County of *Dublin*, and County of the City of *Dublin*, and at the Assizes in all other Counties, Counties of Cities and Counties of Towns in *Ireland*, are hereby empowered and authorized to appoint such Salaries and Allowances to the several Keepers of Gaols, Bridewells, Houses of Correction and other Prisons in their respective Counties, Counties of Cities and Counties of Towns, and to their Assistants, as they shall think proper, and to alter the same from time to time as they shall see occasion, and to direct such Salaries and Allowances to be paid by the Treasurer of such Counties, Counties of Cities and Counties of Towns respectively; all such Salaries and Allowances to be raised by Presentment on the said Counties, Counties of Cities and Counties of Towns respectively: Provided always, that no Keeper of a Prison or his Assistant shall be entitled to receive such Salary or Allowance, unless he shall prove to the Satisfaction of the Grand Jury that he hath complied with all and every of the Rules and Regulations which shall from time to time be provided by or under this or any other Act or Acts of Parliament, or by any lawful Authority whatsoever, for the Regulation of such Prison, or for the Conduct of the Keepers thereof.

Proviso.

Keepers of Prisons provided with Copies of Act.

XLI. And be it enacted, That every Keeper of any Gaol, Bridewell, House of Correction or other Prison in *Ireland*, shall be and is hereby required to provide himself with One or more printed Copy or Copies of this present Act, and to keep and have the same at all times ready to produce for the Inspection of any Magistrate or Magistrates, or other Person or Persons legally appointed, who shall at any time visit or inspect such Gaol, Bridewell, House of Correction or other Prison, or enquire into the Conduct of such Keeper, under a Penalty of Five Pounds, to be recovered by Civil Bill by any Person who shall inform thereof.

Penalty.

Inspectors appointed.

XLII. And be it enacted, That it shall and may be lawful for each and every Grand Jury of every County, County of a City and County of a Town in *Ireland*, with the Consent and Approbation of the Court or Judge at each Assizes and Presenting Term, to appoint an Inspector of Prisons for such County respectively, and also of every Bridewell, Sheriff's Prison, Marshalsea or House of Correction within any County of a City or of a Town (except as is hereinafter excepted); and every such Inspector shall be required to observe the several Regulations hereinafter mentioned, and to see the same carried into Effect: Provided always, that in making any such Appointment as aforesaid by the Grand Juries, the Minister or Curate of the Parish in which the County Gaol shall be situated, shall be preferred, if such Clergyman will accept such Appointment, and that there does not appear on Examination into the same any just or reasonable

To whom Preference given.

able Objection to such Clergyman; and provided also, that in case of Refusal on the Part of such Clergyman as aforesaid, a Physician or Surgeon resident in the Town or Parish in which such Gaol or other Prison shall be situate respectively, shall be then preferred; and if such Surgeon or Physician shall also refuse to accept the said Office of Inspector, or shall be found unfit for the same, or if it shall appear that the Clergyman, Physician or Surgeon aforesaid, after having accepted the said Office, shall at any time neglect to execute or fulfil the Duties thereof, it shall and may be lawful to appoint any other fit and discreet Person, residing within One Mile of such Gaol or other Prison respectively, to be such Inspector as aforesaid in manner aforesaid respectively.

XLIII. And be it enacted, That it shall and may be lawful for all Grand Juries in *Ireland*, at any Assizes or Presenting Term respectively, after such Appointment, to present a reasonable Sum to be paid to every such County or other Inspector appointed as aforesaid, as a Recompence for the Care and Attendance necessary in the Execution of the several Duties of such Offices respectively: Provided it shall appear to them that such Inspector has duly and regularly executed the several Duties of his Office; which Sum or Sums the said Inspector shall be entitled to receive exclusive of any other Salary or Allowance which may be granted to him as Chaplain, Physician, Surgeon or Medical Assistant for visiting and attending the Prisoners confined in any of the Prisons of such County, County of a City or County of a Town.

Salary to
Inspector.

XLIV. And be it enacted, That it shall and may be lawful for the Clerk of the Crown, and he is hereby required at each Assizes and General Gaol Delivery, in every County, County of a City and County of a Town in *Ireland*, and at every Special Commission therein, and at every Quarter-Sessions, Term or Session of the Commission of *Oyer and Terminer* for the County of the City of *Dublin*, and the Clerk of the Peace is also hereby required to furnish the Inspector of Prisons for the time being of the said County, County of a City and County of a Town, with a complete Schedule of the several Prisoners brought to Trial at each Assizes and General Gaol Delivery, and at each Special Commission, and at each and every Term or Commission of the County of *Dublin* or the County of the City of *Dublin* respectively, and at each and every Quarter-Sessions, specifying the particular Crime of which each Prisoner was accused, and stating the Sentence of the Judge on each Trial, and whether the said several Sentences have been executed, or whether the Whole or any Part or Parts of them have been remitted; and the several Inspectors of Prisons are hereby required to report and transmit the same in manner hereinafter directed.

Clerk of the
Crown to make
Return of
Prisoners to
Inspector.

XLV. And be it enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, to appoint a fit and proper Person to be Inspector General of Prisons in *Ireland*, removeable however at the Will and Pleasure of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being; which Inspector General of Prisons shall visit every Prison in *Ireland* once at least in every Two Years, or oftener, if he shall think necessary, and also shall give his Advice and Assistance in choosing proper Plans and Situations where

Appointment
of Inspector
General;

His Duty.

new Gaols and other Places of Confinement are to be erected, and shall report in Writing to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, his Opinion as to the proper Site and Plan of every new Prison, and shall point out any Additions, Alterations or Improvements which he may deem requisite to be made in any of the Gaols or other Places of Confinement, for the Preservation of the Health of the Prisoners, and for the safe Custody of the same; and that he shall also receive Reports from the Inspectors of Gaols in the different Counties in *Ireland*, and shall also arrange and digest the same, or so much as shall have been duly transmitted to him, and annually transmit a full and accurate State and Account thereof to the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, or in his Absence to the Under Secretary for the Civil Department, and also to the Office of the Chief Secretary of the Lord Lieutenant, in *London*, in order that the same shall be laid before both Houses of Parliament in each and every Session of Parliament, and likewise a separate Report of such Prisons as he shall have visited in Person, from the time of his next preceding Report respectively up to that Period; and in case any of the said Inspectors shall neglect to transmit their Reports to the Inspector General as herein directed, the said Inspector General shall state the Names of such Inspectors who may have been guilty of such Neglect, in his said several Reports, and shall also report the Names of such Inspectors so neglecting, to the Court of King's Bench in *Dublin*; and it shall be lawful for the said Court to impose a Fine on any such Inspector so neglecting, not exceeding the Sum of Ten Pounds: And any such Inspector General of Prisons shall receive such Salary as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall appoint, not exceeding Five hundred Pounds by the Year, as a Remuneration for his own Time and Trouble, and shall also provide a fit and proper Clerk, and a fit and proper Office in the City of *Dublin*, at which such Clerk shall constantly attend, and such Inspector shall receive a further yearly Sum not exceeding One hundred and fifty Pounds, to enable him to defray the Expence of providing such Clerk and Office, and shall also receive a further yearly Sum not exceeding Two hundred Pounds for his travelling Expences in each Year; all which Sums shall be paid out of the Consolidated Fund of *Ireland*, by order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or his or their Chief Secretary for the time being.

Salary.

To visit Mad-Houses, &c.

XLVI. And be it enacted, That the said Inspector General of Prisons shall have Power and he is hereby required to visit and inspect, as often as he shall think fit, all Mad Houses and Places where Idiots or Lunatics are confined, whether the same be any publick Establishment, or kept for Profit by any private Individual, as well as all Gaols and Prisons throughout *Ireland*; and if any Person or Persons shall hinder, molest or prevent such Inspector General from visiting and inspecting any of the said Places of Confinement, such Person or Persons being duly convicted thereof upon Oath before any One Magistrate or Justice of Peace in the County where such Hindrance has been made, shall, for every such Offence, be fined in any Sum not exceeding Fifty Pounds, at the Discretion of such Magistrate,

Penalty.

gistrate, and thereupon such Person so convicted shall, by the Warrant of such Magistrate, be imprisoned in the Common Gaol of the County for Six Calendar Months, unless such Fine be sooner paid.

XLVII. And be it enacted, That it shall and may be lawful for each and every Grand Jury in *Ireland*, and they are hereby required, at any Assizes or Presenting Term, to appoint a proper and discreet Person, being duly ordained in the Holy Orders and of the Established Church, to be Chaplain of the several Gaols, Bridewells, Houses of Correction or other Prisons of and in their respective Counties, Counties of Cities and Counties of Towns; and it shall and may be lawful for every such Grand Jury, if they shall be so required by the Court, also to appoint a proper and discreet Person, being a Protestant Dissenting Minister, to be Protestant Dissenting Chaplain thereof; and also if they shall be so required by the Court, to appoint a Priest or Clergyman of the Roman Catholick Church to be Roman Catholick Chaplain thereof: Provided always, that every Person so appointed shall be approved of by the Court.

Appointment of
Chaplains to
County Gaols.

Proviso.

XLVIII. And be it further enacted, That every such Chaplain shall read Prayers in the said Gaols, Bridewells, Houses of Correction or other Prisons respectively for which he shall be appointed, on every *Sunday* in the Year: to wit, the Protestant Chaplain of the Established Church to such of the Prisoners as shall be Protestants of the Established Church, and the Protestant Dissenting Minister to such of the Prisoners as shall be Protestant Dissenters, and the Roman Catholick Chaplain to such of the Prisoners as shall be Roman Catholics; and that every such Chaplain shall likewise visit each of the said Prisons Twice at least in every Week, exclusive of his Attendance on *Sunday*, that on such Visits he shall go into every Room and Cell in the Prison wherein any Prisoner so within his Charge shall be confined, and converse with and exhort such of the said Prisoners respectively as are willing to listen to his Admonitions; and that each of the said Chaplains shall attend every Malefactor in their respective Prisons who shall be within his Charge as aforesaid, or who may desire his Assistance previous to and at the time of his Execution, in order to administer to such Prisoner or Prisoners the Functions of his Holy Office; and that every such Chaplain shall in manner hereinafter mentioned, inspect, in his turn, the Bread or other Provisions provided for any Prisoner of whatsoever Religion, and take care that the same is or are of good and wholesome Quality and of sufficient Weight.

Duty of
Chaplains.

XLIX. And be it further enacted, That it shall and may be lawful for the Grand Jury at the Spring Assizes and *Easter* Term in every Year after such Appointment, to present a reasonable Sum not exceeding the Sum of One hundred Pounds and not being less than Sixty Pounds in the County and County of the City of *Dublin*, and not exceeding Fifty Pounds nor being less than Thirty Pounds within any other County or County of a City or County of a Town in *Ireland*, for every such Chaplain, as a Recompence for his Services aforesaid: Provided it shall fully appear to said Grand Juries and to the Court or Judge that such Chaplains duly and regularly executed the several Duties of their said Offices respectively, and that the Sums presented for all the Chaplains aforesaid in One Prison or District shall be of the same Amount, unless the Share of either shall

Salaries to
Chaplains.

Proviso.

at any time be withheld by reason of any Misconduct or Neglect of Duty.

Physicians and Surgeons.

L. And be it enacted, That it shall and may be lawful for each and every Grand Jury of every County, County of a City or County of a Town in *Ireland*, at any Assizes or Presenting Term, to appoint a regularly bred Physician and also a regularly bred Surgeon to the Gaols, Houses of Correction, Marshalseas and other Publick Prisons within such County, County of a City or County of a Town, except as is hereinafter excepted: Provided always, that any Physician and Surgeon so to be appointed shall be approved of by the Court.

Their Duty.

LI. And be it further enacted, That every such Physician and Surgeon shall and he is hereby required to visit every Prison within his Appointment Twice at least in every Week, and oftener if necessary, and to prescribe for all Prisoners confined therein, according to his respective Department, such Medicines and Sustenance as may appear to him conducive to their Recovery.

Salary.

LII. And be it enacted, That it shall be lawful for every such Grand Jury at every Assizes and Presenting Term in each Year after such Appointment, to present a reasonable Sum to every such Physician and Surgeon as a Recompence for such Attendance.

Not paid unless Duties performed.

LIII. And be it enacted, That it shall not be lawful for the Grand Jury aforesaid to make such Presentments, unless said Physician and Surgeon respectively shall appear to have duly fulfilled the several Duties of his Office.

Physicians and Surgeons to make Returns to Inspectors.

LIV. And be it further enacted, That the said Physician and Surgeon shall once in every Week make a regular Return of the State of Health of the several Persons under their Care respectively, to the Inspector of his Prison or District, if he shall not be himself the Inspector, and shall distinctly specify therein the Names of the several Persons sick in said Prisons, and their Diseases respectively: Provided always, that nothing herein contained shall extend to prevent the same Person from executing the Offices of Inspector and Chaplain, or of Inspector and Physician, or Inspector and Surgeon, or Physician and Surgeon, if he shall be qualified so to do.

Appointment of Apothecaries.

LV. And be it enacted, That it shall and may be lawful for each and every Grand Jury respectively as aforesaid, and they are hereby required, at every Assizes and Presenting Term, to appoint an Apothecary to the Gaols, Bridewells, Houses of Correction or other Prisons, within their respective Counties, Counties of Cities or Counties of Towns; and it shall be the Duty of every such Apothecary to attend the Physician or Surgeon respectively, if any such be appointed, in their Visits to the said Prisons respectively, and to execute every necessary Order of the said Physician and Surgeon respectively touching the same: Provided always, that every such Apothecary shall be approved of by the Court.

How Medicines and other Articles for the Sick paid for.

LVI. And be it enacted, That each and every of the said Grand Juries shall and may present such Sum or Sums of Money as shall be justly due for such Medicines and other Articles for the Sick as shall be ordered by the Physician or Surgeon attending such Prisons respectively, and which the Apothecary to said Prisons shall make appear by his Affidavit to have been duly furnished according to such Prescriptions, in which Affidavit the said Apothecary shall swear that he

he had faithfully and honestly expended in the Purchase of such Medicines and other Articles the Sums therein respectively charged for the same, and that such Medicines and other Articles were of the best Quality, and were charged at the usual Prices at which Medicines and Articles of the same Quality were charged within the Town or Place where the same were so furnished respectively, and that the same were ordered by the Physician or Surgeon attending such Person before they were supplied; or if such Medicines or Articles shall have been supplied in Cases of Emergency by such Apothecary without the previous Order of such Physician or Surgeon, such Apothecary shall produce a Certificate of such Physician or Surgeon that such Medicines or Articles were fit and proper to be so supplied; but no Charge shall be allowed in any such Presentment for the Attendance of such Apothecary or of any Person acting as such.

LVII. And be it further enacted, That the said several Grand Juries or the Court, if the same shall appear to them proper, may respectively order such Account to be laid before the Governor and Directors of Apothecaries Hall, to be taxed by the said Governor and Directors, which they are hereby authorized and required to do, and to make their Presentment for Medicines as aforesaid, subject to such Reduction in the Amount thereof as shall or may be made on such Taxation; and that the said Grand Juries respectively shall have Power to present for the Expence to be incurred by such Examination.

Accounts taxed by Governor and Directors of Apothecaries Hall.

LVIII. And be it further enacted, That each and every of the said Apothecaries shall bring forward at each Assizes and Presenting Term Two separate and distinct Presentments, one for Medicines and the other for other Articles for the Sick, stating fully and particularly the different Articles comprized under each Head; and it shall and may be lawful for the Grand Jury at each Assizes and Presenting Term to present a reasonable Sum to be paid to every such Apothecary, as a Compensation for his Trouble in providing the said Articles for the said Persons respectively, and advancing his own Money for that Purpose.

Presentments of Apothecaries to be one for Medicines and one for Necessaries.

LIX. And be it enacted, That it shall and may be lawful for any Grand Jury to appoint the same Person to be Surgeon and Apothecary to any Gaol, Bridewell, House of Correction, Marshalsea, or other Publick Prison, and in such case such Surgeon and Apothecary shall be paid for his Attendance as a Surgeon, and for his Medicines as an Apothecary, in manner hereinbefore directed with respect to Surgeons and Apothecaries respectively: Provided always, that in case any Grand Jury shall not think it necessary to appoint a Physician to any Gaol, Bridewell, House of Correction, Marshalsea or other Publick Prison, the Apothecary or the Person so appointed Surgeon and Apothecary, instead of swearing that the Medicines and other Articles for the Sick supplied by him were ordered by the Physician, or producing the Certificate of the Physician in manner hereinbefore mentioned, shall swear that all such Medicines and Necessaries were actually requisite for the Prisoners, and were actually and *bona fide* supplied by such Apothecary, or Surgeon and Apothecary, as the case may be: Provided also, that no Person who shall be so appointed to be Surgeon and Apothecary shall be capable of being appointed a Physician or an Inspector under this Act.

Grand Juries may appoint the same Person to be Surgeon and Apothecary.

Proviso.

LX. And be it enacted, That in and for the Marshalsea of the

Appointment of Inspectors, Chaplains, &c. of

Dublin Marshal-
Sh, &c. by Lord
Lieutenant.

Four Courts of *Dublin*, and all and every Penitentiary House or Houses in *Ireland*, the Expence whereof shall be defrayed out of the Consolidated Fund of *Ireland*, it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, to appoint all Inspectors, Chaplains, Physicians, Surgeons and Apothecaries respectively requisite for such Marshalsea and Penitentiary Houses; and such Inspectors, Chaplains, Physicians, Surgeons and Apothecaries shall be paid such Salaries, and in such manner as such Lord Lieutenant or other Chief Governor or Governors shall think fit to direct: Provided also, that all Medicines and other Articles for the Sick which shall be furnished to any of the Poor Prisoners in the Marshalsea of the Four Courts, or in any Penitentiary House respectively, shall, on being vouched as aforesaid to the Collector of Excise of the District, and also taxed as aforesaid, be paid for by him, together with the Expence of such Taxation, out of any Publick Money in his Hands, Twice in every Year; to wit, in *March* and *September*, down to and for the First Day of each of the said Months respectively.

Vacancies of In-
spector, &c.

LXI. Provided always, and be it enacted, That if any of the said Offices of Inspector, Chaplain, Physician, Surgeon and Apothecary, on the Appointment of the Grand Jury, shall become vacant between Two Assizes or Presenting Terms respectively, then, and in every such case, it shall and may be lawful for the High Sheriff or Sheriffs of the County, to appoint a new Officer to fill such Vacancy respectively; and such new Officer so appointed shall hold and exercise the said Office until a new Appointment shall be made thereto as aforesaid, as fully and effectually in all respects, and with all the same Rights, Powers and Advantages, as if he had been duly appointed thereto as aforesaid.

K. B. or Judges
of Assize may
remove Inspec-
tors, &c. for
Neglect, &c.

LXII. And be it enacted, That if it shall appear to the Court of King's Bench that any of the said County Inspectors, Chaplains, Physicians, Surgeons or Apothecaries in any Part of *Ireland*, or to the Judges of Assize in their respective Counties in *Ireland*, that any of the said Officers in and for such County has been guilty of Misconduct in his said Office, or of Neglect of the Duties thereof, then, and in every such case, it shall and may be lawful for such Court or Judge by a summary Order to remove such Officer from his said Office; and every such Officer while he shall hold such Office shall be decreed, deemed and considered in respect thereof as an Officer of the said Court of King's Bench and of such Assizes Court respectively, and subject to the Orders thereof respectively as such.

Inspectors to
oversee the pro-
viding Food for
Prisoners.

LXIII. And be it enacted, That it shall be lawful for the Inspector of every Gaol, Bridewell, House of Correction, or other Prison in *Ireland*, and he is hereby required to inspect, oversee and regulate the procuring and providing of Bread, Meal, Potatoes, or such other Food as he shall judge most proper, to the Value of not less than Five pence *per* Day for every Person confined for any Offence under his Inspection, who shall stand in need of such Assistance, and to cause the same to be regularly distributed among the said Prisoners, Four Times in every Week, to wit on *Sundays*, *Mondays*, *Wednesdays* and *Fridays*, in presence of said Inspector, or One of the Chaplains, and also of the Keeper of such Prison; and the Grand Juries of the several Counties in *Ireland* are hereby empowered and required

required ~~to~~ make such Presentments in Advance to any Person or Persons (not being a Grand Juror nor being an Inspector, Chaplain, Physician, Surgeon or Apothecary under this Act, nor being the Keeper of any Prison) who shall be willing to contract with such Grand Jury for the Supply of such Bread, Meal, Potatoes or Food as such Grand Jury may deem necessary to provide for the same, and if such shall by any means not be made, or, being made, shall be found insufficient, then to present such Sums as shall appear to have been necessarily expended for such Purpose, either without such Presentment, or over and above the Amount thereof; and the Sums ~~so~~ presented shall be paid over in manner hereinafter mentioned: *Provided* *Provido.* always, that the Inspector and the Chaplain or Chaplains shall divide the Duty of distributing said Allowance equally between them by alternate Weeks in Rotation, and the Certificate of any of them, together with that of the Keeper of the Prison, shall be a sufficient Warrant to the Treasurer of the County for the Payment of such Sum or Sums as may be expended in procuring said Food, to any Person or Persons who shall have contracted with the Grand Jury as aforesaid, or to any Person or Persons (not being a Grand Juror, nor being an Inspector, Chaplain, Physician, Surgeon or Apothecary under this Act, nor being the Keeper of any Prison) who shall or may have contracted with any Inspector for the Supply of such Bread, Meal, Potatoes or Food, or who may have supplied the same under the Orders of such Inspector.

LXIV. And be it enacted, That it shall be lawful for the Grand Jury at each Assizes and Presenting Term respectively in *Ireland*, to present on the respective Counties, Counties of Cities and Counties of Towns, all such Sums as to them shall appear by Affidavit to have been necessarily expended for Straw for the Prisoners entitled to an Allowance of Bread as aforesaid in any Gaol, Bridewell, House of Correction or other Prison within their respective Counties, Counties of Cities and Counties of Towns, or any necessary petty Expenses attending the Prison, as also to present in advance such Sum as they shall think necessary for the said Purposes or any of them; and that to enable the said Grand Juries to present proper Sums for those Purposes, there shall be laid before the Grand Jury by the Keeper of every Gaol, Bridewell, House of Correction or other Prison in *Ireland*, at each Assizes and Presenting Term, a Calendar of his Prison since the last Assizes or Presenting Term, with the Date of the Committal and Discharge of each Person. *Expences for Straw, &c.*

LXV. And be it enacted, That it shall and may be lawful for the several Grand Juries at every Assizes and Presenting Term, to present such Sum or Sums of Money as may be requisite for the Purposes of providing Fuel, Prison Dresses, Iron Bedsteads, Bed Tickens to be filled with Straw, Blankets and Bed Cloaths, for all Prisoners who shall be confined in any Gaol, Bridewell, House of Correction, or other Prison within their respective Counties, Counties of Cities and Counties of Towns, and shall stand in need of such Assistance; and that the several Sums before mentioned to be presented for the Purposes of providing Fuel, Prison Dresses, Iron Bedsteads, Bed Tickens and Blankets, Bed Cloaths and Straw for Prisoners as aforesaid, shall be paid into the Hands of any Person or Persons (not being a Grand Juror, nor being an Inspector, Chaplain, Physician, Surgeon or Apothecary under this Act, nor being *Monies for such Purposes to be paid to Contractors.* the

the Keeper of any Prison) who shall or may have contracted with any Inspector of any such Gaol, Bridewell, House of Correction or other Prison, for the Supply of such Fuel and other Matters respectively, or who may have supplied the same under the Orders of such Inspector.

Contractors, &c.
to account on
Oath.

LXVI. And be it enacted, That all and every Sum and Sums of Money which shall be presented by any Grand Jury for Bread or other Necessaries, or for any other of the Purposes hereinbefore mentioned, shall be accounted for on Oath in open Court by the Persons making such Contract with the Grand Jury or with the Inspectors, or supplying Articles under the Orders of such Inspectors, and by the Certificate of the different Inspectors and Chaplains respectively.

Grand Jurors,
Inspectors, &c.
being concerned
in Contracts for
Food.

LXVII. And be it further enacted, That if any Grand Juror or any Inspector, Chaplain or Physician, Surgeon or Apothecary appointed under this Act, or any Keeper of any Gaol, Bridewell, House of Correction or other Prison, shall contract to provide or supply any such Bread, Meal, Potatoes or other Food, or any Straw, Fuel, Prison Dresses, Bedsteads, Bed Tickens, Blankets, Bed Cloaths, or other Necessaries for Prisoners under his Inspection or Charge, contrary to the Provisions of this Act, or shall supply the same otherwise than in the Performance of his Duty under this Act, or shall directly or indirectly derive or receive any Profit or Emolument whatever from any Bread, Meal, Potatoes or other Food, or any Straw, Fuel, Prison Dresses, Bedsteads, Bed Tickens, Blankets, Bed Cloaths, or other Necessaries provided for such Prisoners, which shall be supplied for the Purposes of this Act, every Person so offending shall, for every such Offence, forfeit the Sum of Five hundred Pounds, to be recovered by any Person who shall sue for the same by any Action, Suit, Bill or Complaint, in any of His Majesty's Superior Courts of Record in *Dublin*; wherein no Essoign, Protection or Wager of Law shall be allowed, nor any more than One Imparlance.

Penalty.

Expences paid by
Collector of Ex-
cise, and ad-
vanced by him to
Inspectors, &c.

LXVIII. Provided always, and be it enacted, That all Bread and other Provisions, Straw, Prison Dresses, Bedsteads, Bed Tickens, Blankets and Bed Cloaths, which shall be so distributed in the Marshalsea of the Four Courts or any Penitentiary House, and also all Bread, Provisions, Dresses, or Cloaths, Medicines and other Necessaries which shall be so furnished as aforesaid to any Convict under Sentence of Transportation, or pardoned or respited from Death on condition of Transportation, who shall be removed out of the County in which he was convicted, shall and may be paid for by the Collector of Excise of the District, out of any publick Money in his Hands, and that such Collector of Excise shall also out of such Money advanced to any Person or Persons (not being a Grand Juror, nor being an Inspector, Chaplain, Physician, Surgeon or Apothecary under this Act, nor being the Keeper of any Prison) who shall or may have contracted with any Inspector of any such Marshalsea or Penitentiary House for the Supply of such Provisions or other Matters respectively, or who may have supplied the same under the Orders of such Inspectors, such Sums for the said Purposes or any of them, as such Inspector shall, by Affidavit to be made before any Justice of the Peace for the County, state to be reasonable and necessary for such Purpose.

Rules and Re-
gulations for
Management of
Prisons.

LXIX. And be it enacted, That the following Rules and Regulations shall be strictly observed and carried into Force and Effect in every

every Gaol, House of Correction, Marshalsea, Bridewell, Penitentiary House, Sheriff's Prison or other Prison throughout *Ireland*; that is to say: First, That it shall not be lawful for any Woman to be Keeper thereof: Second, That every Gaoler or other Keeper of a Prison shall reside in his Prison, and that he shall not be an Under Sheriff or a Bailiff, or a Baker or a Brewer, nor shall he sell Wine, Beer, Ale or Spirituous Liquors of any Sort to Prisoners or others, nor shall he hold any Office or Employment, or carry on any Business whatsoever that may require his Attendance in any other Place: Third, That no Tap shall be kept in any Prison without a Special Order of the Court of King's Bench in *Ireland* for that Purpose: Fourth, That no Person under the Authority or Appointment of the Keeper shall, directly or indirectly, sell to the Prisoners or any of them, any Malt or Spirituous Liquors, or any manner of Provisions whatsoever: Fifth, That in all Prisons wherein any Persons shall be confined for any Offence, the Person or Persons whose Duty it shall be to deliver out Bread or other Provisions to such Prisoners, or One of the said Persons, together with the Keeper of the Prison, shall attend for that Purpose Four Days in each Week, to wit, on *Sundays, Mondays, Wednesdays and Fridays*, and shall take care that the same is properly distributed according to the Wants of the Prisoners, and that it is of a good Quality and proper Weight, and that it is not more than Twenty four Hours since any Bread which may be so distributed had been baked; and such Person or Persons shall not suffer the Prisoners to commute the said Allowance by receiving the Value thereof in Money, or in any other manner whatsoever: Sixth, That every Room in every Prison in *Ireland* shall be daily scraped and swept, and shall be washed Once in every Week from the First Day of *April* to the First Day of *October*, and Once in every Month for the residue of the Year, unless the contrary shall in any Instance be expressly directed in Writing by the Physician or Surgeon, and that Three Times at least in every Year the Inside of each of the Rooms, Cells, Halls, Passages and Places of every Description in the Prison shall be white-washed; *videlicet*, Once in the Month of *April*, Once in the Month of *July*, and Once in the Month of *October*, and that sufficient Prison Dresses, Bedsteads, Tickens for Beds, and Blankets be provided for such Prisoners as shall be in want thereof; and also that a constant Fire shall be kept up in the Common Halls of every Prison for Ten Hours in every Day, from the First Day of *October* to the First Day of *April*, to wit, from the Hour of Ten in the Morning to the Hour of Eight in the Afternoon, and for Five Hours in every Day for the Residue of the Year; to wit, from the Hour of Twelve at Noon to the Hour of Five in the Afternoon respectively, and that every Prisoner shall be supplied with fresh Straw Once in every Month: Seventh, That the Prisoners who shall be sick shall be separated from those who shall be in health, and the Physician or Surgeon and Apothecary shall regularly attend the former, and supply them with Medicines and also with Broth or other necessary Sustainance: Eighth, That Debtors shall be separate from Felons and other Offenders, and that Persons charged with Highway Robbery, Housebreaking, Murder, or other Capital Offences, shall not be suffered to have any Intercourse with Prisoners confined for Offences which are not Capital; and that Male and Female Prisoners of every Denomination shall be kept separate: Ninth,

Ninth.

Tenth.

Eleventh.

Twelfth.

Thirteenth.

Fourteenth.

Fifteenth.

Ninth, That all Prisoners shall have free Access to the Bath and Necessary, in their respective Parts of the Prison at all reasonable Hours, and shall also be admitted at proper times in Succession to air themselves in the Yard or Yards for at least Two Hours in every Day, except Prisoners under Sentence of Death, and such Persons as shall be riotous or disorderly, or where there may be sufficient cause to apprehend that an Escape may be attempted: Tenth, That no Hogs, Pigs, Cattle or Poultry of any Kind shall be kept in any Yard of any Prison in *Ireland*: Eleventh, That no Prisoner even when condemned to Death shall be put into a Dungeon or Room under Ground, unless in consequence of outrageous Conduct, or for an Attempt to break out of Prison: Twelfth, That no Spirituous Liquors of any Kind shall be admitted into any Prison on any Pretence whatsoever, unless as directed in a written Order from the Physician, Surgeon, Apothecary, Medical Assistant or Inspector, specifying the Quantity so to be admitted, and for whose Use; nor shall any Penny Pot or Garnish be taken from Prisoners on their Entrance into Prison on any Account or Pretence whatsoever: Thirteenth, That a Table of Fees shall be made out by the Inspector General of Prisons, and the Inspector of Prisons in the County of the City of *Dublin*, to be laid by them before His Majesty's Court of King's Bench, which Table, if it shall be approved by the Court, shall serve as a General Regulation for Fees throughout *Ireland*, and the Inspector General of Prisons shall distribute Copies thereof to the several County Inspectors, to be by them placed in a conspicuous Part of the Prisons under their Inspections, and the Inspector General of Prisons shall likewise cause several Copies of these Rules, and of all further Rules to be from time to time made as hereinafter mentioned, to be printed on one Side of a Sheet of Paper and pasted on Boards, which he shall also distribute among the several County Inspectors, to be by them placed in the Common Hall of every Prison: Fourteenth, That every local Inspector shall visit every Prison under his Inspection Twice at least in every Week, that at each Visit he shall go into every Room in the Prison, and if any Complaint shall be made by the Prisoners or any of them, against the Gaoler or his Assistants, the Inspector shall immediately enquire into the Particulars of such Complaint, and if the same shall appear to be well founded he shall report accordingly to the Inspector General of Prisons, and to the Sheriff of the County: Fifteenth, That the said Inspectors shall each of them report specially on Oath in the manner hereinafter directed, the State of each and every Prison under their Inspection respectively, to the Magistrates at the Quarter-Sessions, and likewise the Inspector or Inspectors for the County of *Dublin* and County of the City of *Dublin*, to the Court of King's Bench in every Term, and the Inspectors for all the other Counties to the Judges at the Assizes; and all the said local Inspectors shall also Twenty one Days at least before the sitting of Parliament, transmit to the Inspector General of Prisons, a similar Report, together with a Calendar of the Prisoners actually in Custody, setting forth the particular Crime for which each Prisoner had been committed, and likewise a General Statement of all Prisoners who have been tried, whether acquitted or condemned, since the Date of the last preceding Report, specifying the several Crimes of which they were accused, and the Sentences of those who have been found

found guilty: Sixteenth, That in case of any riotous, outrageous or disorderly Conduct, or of any wilful Mischief done by any Prisoner to the Prison, or to any Person therein whether a Prisoner or not, or in case of any Person being or becoming of insane Mind, it shall be lawful for any Judge of the Superior Courts, or for any Two Justices of the Peace, to examine minutely into the Matter on Oath, and after such Examination to issue his or their Warrant to the Keeper of the Prison, desiring that every insane Person shall be confined during the continuance of such Insanity, and every such Offender for such length of time as shall be specified in such Warrant, in such Room, Cell, or other Place within the Precincts of the Prison as he or they shall think proper, or as shall have been specially provided for such Purpose; and from the time when any such Insanity or Misconduct shall come to the Knowledge of the Keeper of such Prison, until there shall be an Opportunity of holding such Enquiry, it shall be lawful for such Keeper of his own Authority to confine such Offender or insane Person in any such Room, Cell or Place; and if any Prisoner shall be a second time ordered into such Confinement for Misconduct on Examination on Oath as aforesaid, such Prisoner shall not during such Second Confinement be permitted to receive any other Food besides Bread and Water; and in case of a Third Confinement of any Prisoner in like manner, such Prisoner during such Third Confinement shall not only be limited to such Food, but shall also be kept in Irons: Provided however, that nothing herein contained shall prevent any Prisoner from being discharged out of Prison altogether, if he shall become entitled thereto: Seventeenthly, That it shall be lawful for His Majesty's Court of King's Bench in *Ireland*, from time to time, as often as it shall be necessary, to make and ordain such other and further Rules and Regulations consistent with the foregoing, for the Government, Management or Conduct of all or any Gaol or Gaols, Bridewell or Bridewells, Marshalsea or Marshalseas, House or Houses of Correction, or any other Prison or Prisons in *Ireland*, or the Keepers or Keeper, or any other Officers or Officer thereof, or any Prisoners or Prisoner therein, as they shall think proper: and that all such Regulations shall, from time to time, be posted up in all Prisons to which the same shall extend, immediately after these Rules, in manner before mentioned.

Sixteenth.

Proviso.

Seventeenth.

LXX. And be it further enacted, That any Gaoler or Keeper of a Prison in *Ireland*, who shall find himself by any Means or Circumstances whatsoever disabled or prevented from carrying the said Rules or any of them into Effect, shall, on the first Opportunity, give Notice thereof to the Inspector of the Prison, and if the said Inspector shall, upon visiting such Prison, see sufficient Grounds for such Omission, either by reason of the Insufficiency of such Prison or otherwise, he shall, by Writing under his Hand, give to the said Gaoler or Keeper, a Certificate thereof, and no Fact or Occurrence shall be admitted as a sufficient Excuse, to any such Keeper of a Prison, for the Breach or Neglect of any of the Rules aforesaid, unless such Fact shall have been so represented by him to such Inspector at some time before such Breach or Neglect, or within One Week after the same.

How Gaolers to act when prevented from observing Rules.

LXXI. And be it further enacted, That all Inspectors of Gaols, Bridewells, Houses of Correction or other Prisons, shall, in the Reports

Inspectors to insert in their Report, how far Regulations have been observed.

Reports of the State of the Gaols, Bridewells, Houses of Correction, or other Prisons under their Inspection respectively, insert a Copy of the foregoing Regulations, and of such farther Regulations as shall from time to time be in force, in their respective Prisons at full length; and in a separate Column, opposite to each of the said Regulations, shall certify and state how far each of them has been observed and complied with, and shall also state and set down how far the several other Directions contained in this present Act have been observed and executed.

Marshalsea of the Four Courts to be kept separate.

LXXII. And be it further enacted, That the Marshalsea of the Four Courts shall be kept separate and distinct from all other Prisons, under the Care of the Marshal of the Four Courts, appointed or to be appointed by His Majesty's Letters Patent under the Great Seal of Ireland, or by the Lord Lieutenant or other Chief Governor or Governors of Ireland for the time being.

Fees of Marshal of Four Courts.

LXXIII. And be it enacted, That the Marshal of the Four Courts shall take, demand and receive the several Fees following, and no more; *videlicet*, That every Prisoner shall pay to the Marshal for Committal Fee, in every Cause in which any Prisoner shall be committed to, or shall be in his Custody, Six Shillings and Eight pence; for a Discharge or a Dismission Fee to the Marshal Six Shillings and Eight pence, and to the Turnkey One Shilling and Seven pence Halfpenny; upon every *Habeas Corpus* directed to the Marshal, the Person in Custody who obtained or procured the same, shall pay to the said Marshal Two Shillings and Six pence: And every Prisoner brought into Court by *Habeas Corpus ad Satisfaciendum*, or brought up in Custody thereupon, committed to the Marshal in Execution, shall pay to the said Marshal the Fees following; *videlicet*, Six pence in the Pound where the Execution is or shall be for any Sum of or under One hundred Pounds; and when the Execution is or shall be for more than One hundred Pounds, then the said Person or Persons so committed in Execution, shall pay to the said Marshal Three pence for each Pound over and above the Sum of One hundred Pounds, and no more: Provided also, that no Person or Persons so committed in Execution shall be charged with or liable to pay any more of the said Poundage or Execution Fees than for such Debt or Damages and Costs as he, she or they shall really owe, and which the Plaintiff or Plaintiffs on such Execution shall be really and *bona fide* entitled to receive.

Proviso.

Fees for pleading Pardon.

LXXIV. And it is hereby also enacted, That upon the pleading of any Pardon at the Bar for any Person in the Marshal's Custody, the said Person for whom such Pardon is pleaded shall pay to the said Marshal for his Fee thereon Seven Shillings, and no more.

Fees for Lodging.

LXXV. And be it further enacted, That every Prisoner lying in the Common Hall shall pay One Penny *per* Night to the Marshal, and no more, for his said Lodging; and that as to all and every other Rooms and Accommodations in the said Marshalsea, the same, and the Rates and Prices to be paid for the same, shall be regulated and governed in such manner and according to such Rates as the Court of King's Bench in Ireland, having due regard to all Circumstances, shall from time to time direct and order.

Exacting greater Fees than allowed.

LXXVI. And be it further enacted, That in case the said Marshal of the Four Courts or his Deputy, or other Person or Persons employed under him, shall demand, exact, take or receive from any Prisoner

Prisoner in the said Marshalsea any other or greater Fee, Reward or Gratuity, than he shall be entitled to as aforesaid, or shall not duly observe such Rules for the Ease and Convenience of his Prisoners as are or shall be from time to time prescribed, or shall exact any other or greater Rates for the Lodging of the Prisoners than he shall from time to time be entitled to as aforesaid, then the said Marshal for the time being, or his Deputy, which ever of them shall offend herein, shall forfeit for the First Offence committed, the Sum of Fifty Pounds, the One Half thereof to the King, the other Moiety to the Party aggrieved, who may sue for and recover the same by any Action, Suit, Bill or Complaint, in any of His Majesty's superior Courts of Record at *Dublin*, wherein no Fissoign, Protection or Wager of Law shall be allowed, nor any more than One Imparlance; and if after such Conviction he shall again offend as aforesaid, he shall for such Second Offence forfeit his Office, and be incapable of holding or exercising the said Office of Marshal of the Four Courts, or of being Deputy Marshal of the same for ever after; any Patent, Charter, Usage or Custom, to the contrary notwithstanding.

LXXVII. And be it further enacted, That the Marshalsea of the City of *Dublin* shall be likewise kept separate and distinct in another House by itself, under the Care of such Person or Persons as shall be duly authorized and appointed to keep the same.

LXXVIII. And, for the better regulating and ascertaining the Fees of the Marshal of the City of *Dublin* for the time being, and the Lodging of the said Marshalsea of the said City, be it further enacted by the Authority aforesaid, That the following Fees and no other shall be taken by the Marshal of the City of *Dublin* for the Time being; *videlicet*,

For every Prisoner committed to his Custody upon an Action out of the Tholsel Court, Two Shillings and Six pence:

For every Prisoner committed by the Lord Mayor for Petty Debts, One Shilling:

For every Writ of *Venire Facias* or *Fieri Facias* issued out of the City Court of the said Marshalsea, One Shilling and Six pence:

For all Executions out of the City Court directed to the said Marshal, Six pence in the Pound for every Sum of or under One hundred Pounds; and where the Execution is for more than One hundred Pounds, then to receive only Three pence *per* Pound for each Pound, over and above the Sum of One hundred Pounds, and in such manner and under such Restrictions as are appointed by this Act for the Marshal of the Four Courts.

LXXIX. And be it further enacted, That the said Marshal of the City of *Dublin* shall observe and keep the same Rules, and take the same Rates for the Lodging and Accommodation of Prisoners, in such Sort and in such manner as the Marshal of the Four Courts shall from time to time be entitled to take, save so far as the same may be otherwise ordered by the said Court of King's Bench; and in case the Marshal of the City of *Dublin* for the time being, his Deputy, or any other Person or Persons employed under him, shall take, receive or exact any other or greater Fees than as aforesaid, or any Gratuity or Reward from any Person whatsoever committed as a Prisoner to his Custody, or shall not observe and perform the Rules and Rates in every Respect herein ordained, or which shall from

from time to time be prescribed as aforesaid, then the said Marshal of the City of *Dublin* for the time being, or his Deputy, which ever of them shall offend herein, shall suffer and incur the like Forfeitures and Disabilities as concerning the Marshal of the Four Courts is hereinbefore provided.

Corporation of
Dublin to ap-
point Keeper of
Marshalsea;

LXXX. And be it enacted, That it shall and may be lawful to and for the Corporation of the said City of *Dublin*, at any Quarter Assembly, or at any Post Assembly held for that Purpose, to elect and appoint a fit and proper Person to be Keeper of the said Marshalsea Prison; and it is hereby declared, that the Marshal of the said City shall be exempt from the Care and Custody of the Prisoners to be therein confined, and that such Marshal shall not be liable to any Damages, Costs or Charges whatever, for or on account of any Escape that shall be effected or made from said Prison.

answerable for
safe Custody of
Prisoners.

LXXXI. And be it further enacted, That the said Keeper shall be answerable for the safe Custody of all such Prisoners as shall be confined in said Marshalsea Prison, and that he shall observe and perform the several and respective Rules herein required of other Keepers of Prisons wherein Debtors are confined.

Appointment not
to interfere with
Profits of
Marshal.

LXXXII. Provided always, and be it further enacted, That such Nomination or Appointment of such Person to be Keeper of such Marshalsea Prison as aforesaid, shall not extend or be construed to extend to permit or allow any such Person to interfere in any Sort or Degree whatsoever with any of the Duties, Privileges or Emoluments annexed to the said Office of Marshal, or which heretofore have been exercised or enjoyed by him or his Predecessors, save only and except in the Care of the said Marshalsea Prison, and the safe keeping of the Prisoners to be confined therein.

Court of K. B.
and Judges of
Assizes to give
Act in charge to
Grand Juries.

LXXXIII. And, in order to render more effectual the several Provisions and Regulations contained in this Act, be it enacted by the Authority aforesaid, That the Court of King's Bench, and all and every Judge and Judges of Assize, and General Gaol Delivery, in *Ireland* respectively, are hereby directed and required from time to time, as Occasion shall require, to give this Act in Charge to the Grand Juries of the several Counties in *Ireland*, or so much thereof as concerns such Grand Juries, and to require them to comply therewith as the Law directs, and to make such Presentments as are herein mentioned and directed.

Criminals de-
tained for Fees,
discharged.

LXXXIV. And be it enacted, That it shall and may be lawful for any Prisoner in *Ireland* who shall have been convicted of any Offence or Offences, and shall be detained in Prison only for his Fees by reason of such Conviction or Convictions, and of his Imprisonment for such Offence or Offences, to present a Petition to the Court of King's Bench if in the County of *Dublin* or County of the City of *Dublin*, and if in any other County in *Ireland*, to the Judges of Assize of such County, or in any of the said cases to the Court of Quarter-Sessions, stating that he or she is unable to pay his or her Fees aforesaid, and praying that such Fees may be remitted: and the Court to which such Petition shall be presented, shall examine into the Truth of the Matters therein alledged, upon the Oaths not only of such Prisoner, but also of the Gaoler and of every such other Person or Persons as such Court shall think fit and proper to be examined relative to the same; and thereupon it shall and may be lawful for such Court to make such Order for remitting the

Whole or any Part, Share or Proportion of such Fees as such Court shall think proper; and on such Order being made, it shall and may be lawful to and for the Grand Jury of such Court, if they shall think fit, to present the Amount of the Sum or Sums so remitted to be raised on such County, and to be paid to the Person or Persons whether Clerk or Clerks of the Crown or of the Peace, Sheriffs or Gaolers, whose Fees or any Part of whose Fees shall have been so remitted according to their respective Proportions thereof; and if the whole of such Fees shall have been so remitted, then such Prisoner shall be discharged from any further Imprisonment by reason of such Fees, and if a Part only shall be so remitted, then on the Payment of the Residue of such Fees, such Prisoner shall be, in like manner, discharged.

LXXXV. And be it enacted and declared, That all Fees on Criminal Prosecutions, and the several other Matters relating thereto, payable to any Clerk of the Crown, Clerk of the Peace, or any of their Deputies, Sheriff, or Under Sheriff, Gaoler or Under Gaoler, or Turnkey or Crier, or other Person acting under them or any of them, in *Ireland*, are and shall be payable in the County of *Dublin* and County of the City of *Dublin*, in the same manner in all respects as in the other Counties of *Ireland*; and that in the said County of *Dublin* Presentments in lieu of the Fees of such Persons as shall have been indicted, tried, acquitted and discharged without paying Fees, shall be made at the Presenting Terms, in like manner in all respects as at the Assizes in the other Counties of *Ireland*, under and by virtue of an Act of the last Session of Parliament for regulating the Fees payable by Persons charged with Treason, Felony and all other Offences at Assizes and Quarter-Sessions in *Ireland*, or any other Act or Acts for such Purpose.

49 G. 3. c. 101.
as to Fees on
Criminal Prosecutions extended
to *Dublin* County
and City.

LXXXVI. And be it enacted, That all and singular the several Sums of Money directed by this Act to be presented by the Grand Juries of the several Counties in *Ireland*, shall be raised, levied, apportioned and assessed upon the said Counties respectively, after the same manner as other Presentments for County Charges.

Presentments
assessed on Counties
at large.

LXXXVII. And be it enacted, That if any of the said Grand Juries, after having been properly called upon and directed by such Court and Judges respectively to make such Presentments as are required or authorized by this Act, shall, notwithstanding, neglect or omit to make such Presentment or Provision respectively before the last Day of the said Assizes or Presenting Term respectively, or shall not present a sufficient Sum for any of the said Purposes, then, and in every such case, the said Court and Judges respectively are hereby empowered, directed and required to impose such Fine or Fines on such County, County of a City or County of a Town as they shall deem just and necessary, and as shall be at least equal to the Amount of such Deficiency: Provided always, that no such Fine or Fines shall be levied upon such County, County of a City or County of a Town, unless such Fine shall be confirmed at the next ensuing Assizes or Presenting Term, as the case may be, by the Court or Judge at such ensuing Assizes or Presenting Term.

Presentments
not made.

Penalty.

Proviso.

LXXXVIII. And be it enacted, That in the Order for any such Fine so to be imposed for refusing or omitting to make any Presentment, or for not presenting a sufficient Sum, the particular Object

How applied.

Levied as County
Presentments.

Judges may re-
duce Present-
ments.

Court of K. B.
and Judges of
Assize to examine
into manner of
executing Act.

Payment of Ex-
pences incurred
since 1st July
1809, and before
Operation of
Act.

Object and Purpose for which such Presentment ought to have been made shall be stated, and such Fine when levied shall be applied to such Purpose, and shall be accounted for in like manner as if the same had been regularly presented by the Grand Jury for the said Purposes respectively: Provided always, that every Fine to be imposed upon any County pursuant to this Act, shall be laid on, apportioned and levied upon the County at large, in the same manner as Presentments made by the Grand Jury for County Charges.

LXXXIX. Provided also, and be it enacted, That if any of the said Grand Juries shall at any time present for any of the said Purposes a Sum which shall appear to the Court to be greater than is proper or reasonable for such Purpose, then, and in every such case, it shall and may be lawful to and for the Court or Judge who shall confirm or fiat such Presentment, at the time of so confirming or fiatting the same, to order that the same shall be reduced to such Sum as he or they shall think proper, which shall be done accordingly, and shall be deemed, taken and proceeded on in the same manner in all respects as if the same had been originally so presented.

XC. And, in order that the beneficial Purposes of this Act may be more fully and faithfully carried into Effect, Be it enacted, That the said Court of King's Bench and Judges of Assize shall once in every Assizes and Presenting Term respectively, make diligent Enquiry by Examination on Oath in Court, and by such other ways and means as they shall think proper, concerning the several Matters for which Presentments are or shall be by this or any other Act relating to any of the Matters aforesaid directed or authorized to be made at such Assizes or Term respectively, and finally shall decide after such mature Consideration as to the Exercise of the Powers so hereinbefore given in that Respect.

XCI. And whereas divers Hardships have been lately found to exist in some of the Prisons in *Ireland*, for which no Remedy had been provided by Law, and it was not consistent with Humanity or Justice that the same should be allowed to remain unredressed until an Act of Parliament should be passed, and divers Costs and Expences have been and continue to be incurred in removing the same; Be it therefore enacted by the Authority aforesaid, That all and every Sum and Sums of Money which at any time or times from the First Day of *July* in the Year One thousand eight hundred and nine to the First of *July* in the Year One thousand eight hundred and ten, shall have been expended by or under the Orders or Authority of the Lord Lieutenant of *Ireland*, and which if so expended after the said First Day of *July* One thousand eight hundred and ten, would, under the Provisions of this Act, be payable out of the Consolidated Fund of *Ireland*, shall and may be paid and allowed out of the same; and that all and every Sum and Sums which shall have been so expended within the said Period, and which if expended after the said First Day of *July* in the Year One thousand eight hundred and ten would be properly leviable by Presentment, being duly vouched by the Oath of the Person or Persons employed therein, shall and may be levied and raised by such Presentment, and paid over, under the Orders of the Lord Lieutenant of *Ireland* to replace the Money so expended, any Law or Usage to the contrary notwithstanding; and if by any means it shall happen that any such Sum

Sum or Sums shall not be so levied, then, and in such case, and until the same shall be done, all and every such Sum and Sums shall be paid and advanced out of the Consolidated Fund of *Ireland*.

XCII. And be it further enacted, That if any Action shall be brought or Suit commenced against any Person or Persons for any thing to be done in pursuance of this Act or in relation thereto, every such Action or Suit shall be brought within Six Calendar Months after the Fact done, and the *Venue* thereof shall be laid in the proper County and not elsewhere, and the Defendant or Defendants to such Action may plead the General Issue and give this Act and the Special Matter therein contained, in Evidence on any Trial to be had thereupon; and if a Verdict shall be given for the Defendant in such Action, or if the Plaintiff or Plaintiffs shall become nonsuited or suffer a Discontinuance of his, her or their Action or Actions, or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs the Defendant or Defendants shall have and recover Double Costs, the Plaintiffs first suggesting on the Record, by Leave of the Court, that the Action was brought for an Act done in pursuance of this Act or in relation thereto, if the same shall not sufficiently appear by the Pleadings.

Limitation of Actions.

General Issue.

Double Costs.

XCIII. And be it enacted, That this Act, and all and every Clause, Matter and Thing therein contained, shall commence on the First Day of *July* in this present Year One thousand eight hundred and ten, and shall take Effect from thenceforth and not sooner.

Commencement of Act.

XCIV. And be it enacted, That this Act may be amended, altered or repealed by any Act or Acts to be passed during the present Session of Parliament.

Act may be altered, &c.

C A P. CIV.

An Act for altering the Amount of certain Duties of Assessed Taxes, granted by an Act passed in the Forty eighth Year of His present Majesty's Reign; and for granting to His Majesty certain other Duties of Assessed Taxes, on the Articles therein mentioned.

[20th June 1810.]

Most Gracious Sovereign,

WE Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, thinking it expedient that certain of the Duties, granted by an Act passed in the Forty eighth Year of His Majesty's Reign, on Servants and Carriages, herein described, and on the Makers of such Carriages, should be altered, and new Duties granted in manner hereinafter mentioned; do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifth Day of *April* One thousand eight hundred and ten, in that Part of *Great Britain* called *England*, the Dominion of *Wales* and the Town of *Berwick upon Tweed*, and from and after the Term of *Whitsunday* One thousand eight hundred and ten, in that Part of *Great Britain* called *Scotland*, there shall be assessed, raised, levied and paid unto and for the Use of His Majesty, his Heirs and

48 G. 3. c. 55.

Duties granted.

50 Geo. III.

Y

Successors,

Successors, the several Duties mentioned in the several Schedules to this Act annexed, as the same are therein respectively set forth and described; which several Schedules, and the Duties therein contained, and the Rules subjoined, shall be deemed and construed a Part of this Act, as if the same were inserted herein under a special Enactment.

Duties to be
assessed under
Regulations of
former Acts.

II. And be it further enacted, That the Duties granted by this Act shall be assessed, raised, levied, paid and accounted for, under the same Provisions and Regulations as the Duties granted by the said Act of the Forty eighth Year aforesaid are directed to be assessed, raised, levied, paid and accounted for; and the several Schedules hereunto annexed shall be respectively added to the corresponding Schedules annexed to the said Act, and shall be construed as and deemed Part thereof respectively; and this Act shall be construed in such manner and to the like Effect in all respects, as if the Duties hereby granted were expressly granted under and subject to the several Provisions, Allowances and Penalties to which the Duties granted by the said Act are subject, and as if the said several Provisions, Allowances and Penalties were expressly enacted in this Act; and all and every the Powers, Authorities, Methods, Rules, Directions, Penalties, Forfeitures, Clauses, Matters and Things contained in the said Act, or in any Act or Acts therein recited, mentioned or referred to, so far as the same are respectively applicable to the Duties granted by this Act, shall severally and respectively, in the Execution of this Act, be duly observed, practised and put in Execution throughout the respective Parts of *Great Britain* aforesaid; as fully and effectually to all Intents and Purposes as if the same Powers, Authorities, Methods, Rules, Directions, Penalties, Forfeitures, Clauses, Matters and Things (except as aforesaid) were particularly and respectively repeated and re-enacted in the Body of this Act, and shall severally be applied, construed, deemed and taken to belong to this Act, in like manner as if the same had been enacted therein, and expressly applied to the Duties hereby granted.

Same Commis-
sioners and Offi-
cers to execute
this Act as are
appointed under
former Acts.

III. And be it further enacted, That all and every the Persons who now are or for the time being shall be Commissioners for putting in Execution the said Act or the Acts therein recited, mentioned or referred to, who shall be respectively qualified and authorized to act in the Execution of the said Acts, shall be Commissioners for putting in Execution this Act, and the Powers herein referred to or contained, in all and every the respective Counties, Ridings, Cities, Boroughs, Cinque Ports, Towns and Places, privileged or not privileged, within *England, Wales and Berwick upon Tweed*, and in all and every the Shires, Stewartries, Cities and Boroughs in *Scotland*; and the several Assessors, Collectors, Surveyors, Inspectors and Inspectors General respectively appointed or to be appointed to put in Execution the said several Acts, shall respectively be Assessors, Collectors, Surveyors, Inspectors and Inspectors General to put in Execution this Act, within the Limits of their respective Districts or Divisions to which they are or respectively shall be appointed; and they respectively are hereby empowered and required to do all things necessary for putting this Act in Execution, with relation to the Duties hereby imposed, in the like and in as full and ample a manner as they or any of them are or is or shall be authorized to put in Execution the said several Acts; and the Duties hereby granted, when paid, shall be under the Care and Management of the Commissioners for the
Affairs

Affairs of Taxes for the time being, appointed or to be appointed by His Majesty, his Heirs or Successors.

IV. And be it further enacted, That every Maker of any Carriage called a Taxed Cart, built and constructed according to the Regulations of the said Act of the Forty eighth Year aforesaid, or of this Act, for Sale, shall cause his Name and Place of Abode, and the Place or Places where such Trade or Business shall be carried on, to be returned to the Commissioners for executing this Act, in like manner as is required by any Law now in force to be done by Makers for Sale of other Carriages chargeable with Duty, and under the like Penalty; and every such Maker shall also, from time to time, enter in a Book the Number of such Carriages by him or her built and constructed for Sale as Taxed Carts, and the Names and Places of Abode of the respective Persons to whom sold, and the full Value of the same, together with the full and just Price or other Consideration paid or given or to be paid or given for the same, and the Day on which each such Carriage was delivered or sent out of his or her Shop or Warehouse; all which Books shall, at all reasonable times in the Day-time, be open to the Inspection of the Assessor or Collector, Surveyor or Inspector of or for the Place where such Maker of Carriages shall reside; and every Person hereby required to enter and keep such Account, shall, within Twenty one Days after the Tenth Day of *October* and Fifth Day of *April* in every Year after the Fifth Day of *April* One thousand eight hundred and ten, deliver a true Copy in Writing of all and every Entry made in such Book within the preceding Half Year, to the Assessors or Collectors of the Ward, Parish or Place, or one of them, where such Maker of Carriages shall reside; and when required so to do by such Surveyor or Inspector, every such Maker of Carriages, his or her Chief Servant, Workman or Manager, shall make Oath, or, being one of the Persons called *Quakers*, an Affirmation, of the Truth of such Account according to the best of his Knowledge and Belief; and if any Maker of such Carriages shall neglect to keep such Account, or to deliver such Copy thereof, or shall wilfully omit any Description, Matter or Thing which ought to be contained therein, or shall make therein any false Entry of any Particular which ought to be contained therein, he, she or they so offending shall forfeit and pay any Sum not exceeding Twenty Pounds, to be recovered or levied by any Act or Acts in relation to the Duties of Assessed Taxes.

Makers of Tax Carts to return their Names and keep Accounts of Carts sold.

Penalty.

V. And be it further enacted, That every Maker of Carriages herein called Taxed Carts, for Sale, shall, before the Delivery out of his or her Shop, Warehouse or Premises, to or for the Purchaser thereof, cause the Name and Place of Abode of the Purchaser thereof, and the Words "A Taxed Cart," and also the Name and Place of Abode of the Maker thereof, and the full Value thereof, or the actual Price or Consideration paid or given or to be paid or given for the same, to be painted in a conspicuous Part of the Outside of the back Part of the said Carriage, in Words at Length, and in Roman Characters in Black Letters on a White Ground, or in White Letters on a Black Ground, each of the said Letters being at least One Inch in Length, and of a Breadth in Proportion; and if any Maker of any such Carriage shall deliver the same, or permit or suffer the same to be delivered from or out of his or her Shop, Warehouse or Premises, to or for the Purchaser thereof, without having

Makers of Taxed Carts to paint Price and Owner's Name before Delivery.

Using Carts
without Parti-
culars painted.
Penalty.

Common Stage
Carts may be
used in certain
cases.

Provido.

In what cases
Commissioners
to give Notice
to Proprietor to
produce same
before them.

Provido.

first caused the several Particulars before mentioned to be painted thereon in Form and Manner aforesaid; or if any Person shall use any such Carriage built or constructed or purchased after the passing of this Act without the Particulars aforesaid, and each and every of them, being painted thereon in Form and Manner aforesaid, every such Person shall forfeit and pay any Sum not exceeding Twenty Pounds, to be recovered or levied as aforesaid.

VI. And be it further enacted, That every Cart having the Name and Place of Residence of the Owner, and the Words "Common Stage Cart" legibly painted thereon, which shall be kept truly and without Fraud to be used wholly in the Affairs of Husbandry, or in the Carriage of Goods in the Course of Trade, although the Owner or his or her Servant or Servants shall or may occasionally ride therein when laden, or when returning from any Place to which or when going to any Place from which any Load shall have been or shall be to be carried in such Cart in the Course of Husbandry or Trade, and although such Cart shall be used for the Purpose of riding therein or thereon, on the Occasions and in the manner herein mentioned; that is to say, for the Purpose of procuring Medical Assistance for the Owner or any of his or her Family, or for the Purpose of carrying Goods to or bringing back Goods from Market, or carrying the Owner or any of his or her Family to or from any Place of publick Worship, or to or from any Election of Members to serve in Parliament, or to or from any Courts of Justice, or to or from any Meeting of Commissioners of Taxes, shall be exempted from the Duties granted by the said Act or this Act on Carriages; Provided such Cart shall not have been let to Hire for any of the said Purposes.

VII. And be it further enacted, That whenever any Question shall arise, whether from the manner in which any Carriage with less than Four Wheels shall have been built or constructed, or shall be used, or from the Omission of painting thereon any of the Particulars required by the said Act or this Act, or from painting the same contrary to the Regulations of the said Act or this Act, it shall be lawful for the said Commissioners to give Notice to the Proprietor of the said Carriage, or the Person having the Possession thereof, to produce the same before the said Commissioners on a Day and at a Place to be named in such Notice, and upon the Production thereof it shall be lawful for the said Commissioners, after due Inspection thereof, to adjudge the Rate of Duty at which the said Carriage shall be charged according to the best of their Judgment and Belief, subject to a Case to be stated pursuant to the Directions of the Acts relating to the Duties of Assessed Taxes, if such Case shall be lawfully demanded; and if, after such Inspection, any Doubt shall remain with the said Commissioners as to which of one or other of the said Rates of Duty the said Carriage ought to be charged, it shall be lawful for them to charge such Carriage to the lower of the said Rates of Duty, if they shall be of Opinion that the Particulars on which they entertained the Doubt were not wilfully or fraudulently contrived for the Purpose of evading the higher of the said Rates of Duty, subject to such Case aforesaid; Provided, that in every Case where any reasonable Doubt as aforesaid shall have arisen, and the Commissioners shall be of Opinion that the same hath been occasioned without any fraudulent Contrivance or Intention to defraud the Revenue, it shall be lawful for

for them to remit and strike off the Whole of the double Duty which might have arisen on any Increase of the Duty chargeable in such Case.

VIII. And be it further enacted, That from and after the passing of this Act any Window or Light in any Room of a Dwelling House used wholly for the Purpose of carrying on any Manufacture therein, and not having any internal Communication with such Dwelling House or any Part thereof, although adjoining thereto and in other respects a Part thereof, shall be exempt from the Duties on Windows or Lights granted by the said Act of the Forty eighth Year aforesaid. Exemption of Duty on Windows.

IX. And be it further enacted, That all the Monies arising from the Duties hereby imposed (the necessary Charges of raising and accounting for the same excepted) shall, from time to time, be paid into the Receipt of His Majesty's Exchequer at *Westminster*, together with the Duties granted by the said Act of the Forty eighth Year aforesaid, in one Sum, to the Account of Assessed Taxes, and shall be carried to and made Part of the Consolidated Fund of *Great Britain*. Monies to be carried into Exchequer.

SCHEDULES to which this Act refers.

A SCHEDULE of the Duties payable on Gardeners acting in the Capacity herein mentioned.

No. I.	£. s. d.
For every Gardener who shall have contracted for the keeping of any Garden, wherein the constant Labour of one Person shall not be necessary, there shall be charged the annual Sum of - - -	0 6 0
and no more.	

To be charged under the same Rules and subject to the same Exemptions as the Duties contained in the Schedule of the said Act of the Forty eighth Year aforesaid, marked C. No. II. are directed to be charged.

A SCHEDULE of the Duties payable on Carriages called Taxed Carts.

No. I.	£. s. d.
For every Carriage called a Taxed Cart, built and constructed according to the Regulations of the said Act in every respect, the original Price of which shall not have exceeded or the Value whereof shall not at any time exceed the Sum of Fifteen Pounds Sterling, and which shall not at any time be used with a covered or stuffed Seat, or with a covered Footboard or Apron thereto fixed or not fixed, there shall be charged the annual Sum of - - -	1 6 6

No. II.
For every such Carriage called a Taxed Cart, built and constructed with a Spring or Springs of any Materials whatever, (except of Iron, Steel, or any other Metallic Substance, or any Composition of

Iron, Steel, or other Metallic Substance, either wholly or in Part) the original Price of which Carriage shall not have exceeded or the Value whereof shall not at any time exceed the Sum of Twenty one Pounds Sterling, or which shall be used with a stuffed Seat or Cushion, or with a covered Footboard or Apron thereto fixed or not fixed, there shall be charged the annual Sum of

£. 2 10 0

Save and except always, all Carriages built and constructed as aforesaid, and of the respective Values herein mentioned, and used in manner before mentioned, belonging to any Person or Persons who are or shall be liable to be assessed to the Duties granted by the said Act in respect of a Four-wheeled Carriage, or who are or shall be liable to be assessed to the Duties granted by the said Act on Male Servants in respect of Two such Male Servants, which Persons respectively shall be charged for such Carriages although built, constructed, valued and used as aforesaid at the Rate prescribed in the Schedule of the said Act marked D. No. II. or according to the Schedule of this Act marked No. III. as the Case may require.

The said several Duties on Taxed Carts to be charged under the same Rules, and subject to the same Exemptions as the Duties contained in the Schedule of the said Act of the Forty eighth Year aforesaid, marked D. No. IV. are directed to be charged.

A SCHEDULE of the Duties payable on Carriages with less than Four Wheels,

No. III.

For every Carriage with less than Four Wheels chargeable by the said Act of the Forty eighth of His present Majesty's Reign, with the Duty of £. 5. 18s. if drawn by One Horse, Mare or Gelding, and no more, there shall be charged the like Amount of Duty for every such Carriage drawn by One Horse, Mare, Gelding or Mule, and no more, viz. the annual Sum of

£. 5 18 0

For every such Carriage chargeable by the said Act with the Duty of £. 8. 5s. if drawn by Two or more Horses, Mares or Geldings, there shall be charged the like Amount of Duty for every such Carriage drawn by more than One Horse, Mare, Gelding or Mule, viz. the annual Sum of

£. 8 5 0

And for any additional Body successively used on the same Carriage or Number of Wheels chargeable by the said Act with the further Duty of £. 2. 16s. there shall be charged the like Amount of further Duty, for every additional Body successively used on the same Carriage or Number of Wheels, if drawn in the manner herein mentioned, viz. the further annual Sum of

£. 2 16 0

The said several Duties on Carriages with less than Four Wheels to be charged according to the Rule in the Schedule to the said Act marked

marked D. No. II. and to extend to all Carriages with less than Four Wheels mentioned or described in the said Act, and which shall not be built and constructed or used according to the Regulations prescribed by the said Act or this Act for Taxed Carts.

A SCHEDULE of the Duties payable by Makers of Carriages: called Taxed Carts chargeable with Duty by the said Act or this Act, and on the Sale of such Carriages by such Makers.

Upon every Maker or Makers of any Carriage built, constructed and used according to the Regulations prescribed by Law for Taxed Carts, and of the Values limited either by the Schedule of the said Act of the Forty eighth Year aforesaid; or by this Schedule, there shall be charged the annual Duty of	£.	s.	d.
By every such Maker or Makers of Carriages as aforesaid, for every such Carriage which he, she or they shall make, build or construct for Sale, the Sum of	0	2	6

The said several Duties on such Makers of Taxed Carts to be charged in the same manner as the Duties contained in the Schedule of the said Act marked D. No. V. are directed to be charged.

Save and except any Maker or Makers of Carriages with Four Wheels, or of Carriages with less than Four Wheels, duly assessed as such to the Duties contained in the said Act of the Forty eighth Year aforesaid.

C A P. CV.

An Act to regulate the Manner of making Surcharges of the Duties of Assessed Taxes, and of the Tax upon the Profits arising from Property, Professions, Trades and Offices; and for amending the Acts relating to the said Duties respectively.

[20th June 1810.]

WHEREAS it is expedient, that certain of the Powers and Provisions contained in any Act or Acts relating to the Duties of Assessed Taxes, or to the Duties arising from the Profits of Property, Professions, Trades and Offices, should be amended, in the Particulars hereinafter mentioned: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, the several Surveyors and Inspectors appointed or to be appointed by His Majesty in pursuance of the said Acts, to carry into Execution the Powers therein given to them, in that Part of *Great Britain* called *England*, shall, in making any Increase of Duty either on the Returns of Parties or the Estimates of Assessors, or the Assessments made by Commissioners under the said Acts, observe the following Rules and Directions for their Government, and shall be subject to the several Provisions therein contained; which Rules and Directions shall be of the like Force and Effect as if the same were herein inserted under a special Enactment.

RULES and DIRECTIONS for making Objections and Charges, and for limiting the Times of making the same in certain Cases, in that Part of *Great Britain* called *England*.

Surveyors and Inspectors to examine Returns and Assessments, and may amend them, &c.

First.—Every Surveyor and Inspector appointed or to be appointed in pursuance of the said Acts or any of them, shall be and they are hereby empowered and strictly enjoined and required to inspect and examine all and every the Returns of Lists, Statements, Declarations, Accounts or Estimates, made by any Person or Persons chargeable to the said Duties or any of them, or by any Assessors of any of the said Duties, according to the Directions of any Act or Acts before mentioned, and also all and every the first Assessments of the said Duties or any of them, made for any Parish, Ward or Place for any Year, as well before as after the respective Commissioners acting in the Execution of the said Acts respectively shall have signed and allowed the first Assessments made for such Parish, Ward or Place, for that Year: And if he or they shall discover any Error or wrong Amount or Computation of Duty therein; or that any Person who ought to be charged with the said Duties or any of them shall have duly made a Return as required by the said Acts respectively, but shall have been omitted to be charged with the said Duties or any of them, or shall be under-rated in the said first Assessment, and that the said Return doth contain Matters sufficient whereby the said Surveyor or Inspector may rate such Person in the said first Assessment to the full Duties chargeable upon him or her, according to, or by or from such Return, it shall be lawful for the said Surveyor or Inspector and they respectively are hereby required, before such Allowance, to correct and amend such Assessments, and to charge such Person to the full Amount and at the full Rate of Duty at which he or she ought to be charged, according to his or her Return so delivered.

After Assessments are allowed Surveyor to certify Omissions to Commissioners by way of Surcharge.

Second.—If any such Surveyor or Inspector shall, after any such Assessment or Assessments in respect of the Duties of Assessed Taxes shall be signed and allowed by the said Commissioners, or if any such Surveyor or Inspector shall, after any such Assessment or Assessments in respect of the Duties arising from the Profits of Property, Professions, Trades or Offices, shall be signed or allowed by the Commissioners acting for the general Purposes of the Acts relating to the said Duties, find or discover upon his Survey or Examination, or otherwise, that any Person liable to the said Duties or any of them, in respect of which such Lists, Statements, Accounts or Estimates as aforesaid ought to have been delivered, hath not made any Return as by the said Act or Acts is required, or hath omitted any Person, or any Property, or Profits, or the Amount or Value thereof, or any Article, Matter or Thing, or any Description of the same which ought to have been returned, or hath not returned the full Amount or Value of any Property, or Profits as required by any of the said Acts, so that he or she shall not on account of such Default or Omission have been charged to the Amount which ought to be paid by him or her, or that any Exemption, Allowance or Deduction, which is not allowed by the respective Acts relating to the said Duties, shall have been claimed in or by such Return, then, and in every such Case, it shall be lawful for the said Surveyor or Inspector to certify the same in Writing, together with an Account of every such Default, Omission or Claim, with the Name or Description of the Person or Thing

not returned or omitted, to the best of his Knowledge and Belief, and the full Amount of the Single Duty by which the Assessment ought to be increased, explicitly stating the Particulars in respect of which such Charge has been made, and to deliver the same to any Two or more of the said Commissioners for putting in Execution the said Acts respectively, or to their Clerk, in order to have such Default, Omission or Claim, and the Under-rate occasioned thereby, rectified; and such Commissioners are, upon the Delivery of any such Certificate, and upon Oath being first made either by the Inspector or Surveyor, or any other credible Witness or Witnesses who shall have served the same, that a Notice to the Effect hereinafter mentioned was duly served, required to sign and allow the said Certificates, and to cause supplementary Assessments to be made according to such Certificates, subject to Appeal as hereinafter is allowed.

Upon Delivery of Certificate, and Oath being made that Notice was given, Commissioners to allow Certificates.

Third.—Every Person in whose Custody any such Lists, Statements, Accounts or Estimates shall be, shall and is hereby required, upon the Request of any such Surveyor or Inspector as aforesaid, to deliver the same into his Custody for the Purposes aforesaid, taking his Receipt for the same; and every Person in whose Custody any such Assessment shall be, shall and is hereby required, upon the Request of such Surveyor or Inspector as aforesaid, to produce the same; and such Surveyor or Inspector is hereby authorized to take Charge of the same, until he shall have taken such Copies of or Extracts from the same, as may be necessary for his and their better Information.

Lists delivered to Surveyors, and Assessments produced for taking Copies.

Fourth.—The said Inspectors and Surveyors shall give or cause to be given to every Person so charged, or leave or cause to be left at his or her last or usual Place of Abode, in the District where such Charge was made, or on the Premises charged with the Assessment, as the Case shall require, and as shall have been directed by the several Acts relating to the said Duties respectively, Notice in Writing of such Charge, and of the Amount of Duty to be included in the Certificate of such Charge, and the Particulars thereof; which Charges the said Inspectors and Surveyors are hereby empowered to make, at or before such times as are directed by the said Acts or this Act for the Delivery of the Certificates of such Charges to the said respective Commissioners.

Notice to Persons charged.

Fifth.—In default of a Meeting of the said respective Commissioners before the time limited by the said Acts or this Act, for the Hearing of any Appeals from the Charges of the said Surveyor or Inspector, or if the said Surveyor or Inspector shall not have had Notice of a Meeting of the said respective Commissioners, it shall be lawful for the said Commissioners and they are hereby required, at their First Meeting to be held thereafter, to sign and allow the said Certificates, and afterwards to hear and determine all Appeals therefrom.

In what case Delivery of Certificate of Surcharge to Clerk sufficient.

Sixth.—The Certificate delivered to the Commissioners containing the Day or Days of Service of the Notice delivered to the Party charged shall be deemed sufficient Proof of the Contents thereof, unless the contrary be shewn on the Production of such Notice to the said respective Commissioners by the Party charged; and no Proof of the Contents of any such Notice shall be required by the said Commissioners to be given to them, either by a Copy thereof or otherwise, previous to their signing or allowing the said Certificates,

Certificate sufficient Proof of Contents of Notices.

ificates, nor upon Appeal therefrom, nor other Proof in any Matter relating to the same, except as aforesaid; and except the Oath of the Person or Persons who shall have served such Notices as hereinbefore directed, and which shall be in the Form and to the Effect following; that is to say,

Oath.

‘ I *A. B.* do swear, That a Notice in Writing was duly served upon each Person mentioned in the above Certificate, containing the Particulars as set forth therein respectively, on the Day or Days mentioned in the said Certificate.’

Assessments or Charges not impeached on account of Mistakes in Names or Descriptions.

Seventh.—No Assessment made or to be made by any Assessor or Assessors of the said Duties respectively, nor any Charge made or to be made by any Surveyor or Inspector upon such Assessment, shall be impeached or affected by reason of any Mistake in the Christian or Surname or either of them, of any Person liable to any of the said Duties, nor by reason of any Mistake in the Description of any Property or Profits, or of any Servant or Person, or of any Article, Matter or Thing for which the Person so charged shall be liable to any of the said Duties, nor by reason of any Mistake in the Amount of the Duty charged, nor by any Variance between the Notice and the Certificate of Charge, whether such Mistake shall appear in or such Variance shall arise from the Notice and Certificate to be delivered or made in such Case, or in either of them; but that all such Assessments and Charges shall be valid and effectual to all Intents and Purposes, notwithstanding any such Mistake or Variance: Provided, that in Cases of Charge the Notice thereof be duly served on the Person intended to be so charged, and such Notice and Certificate do severally contain in Substance and Effect the several Particulars on which such Charge shall have been made; and every such Charge shall be heard and determined on the Merits, in such manner as in the said Acts or in this Act is directed.

How Double Duty avoided.

Eighth.—It shall be lawful for any Person to whom such Notice of Charge shall be given as aforesaid, on occasion of his or her having neglected to make any Return as required by the said Act or Acts, at any time previous to the time appointed for hearing Appeals next after the Delivery of such Notice, to make out and deliver to the Surveyor or Inspector who shall have delivered the Notice of Charge, a true, perfect and complete List, Statement, Account or Estimate of all Matters and Things required by the said Act or Acts to be returned; so that he or she may from such last mentioned List, Statement, Account or Estimate so to be delivered, be charged to the said Duties respectively the full Sum at which he or she ought to be charged by virtue of the said Act or Acts; provided, that to every such List, Statement, Account or Estimate, there shall be annexed a Declaration in Writing in the Form and to the Effect hereinafter mentioned; and if the said Surveyor or Inspector shall be satisfied with such List, Statement, Account or Estimate, and the Declaration annexed thereto, then he shall certify such Return and Declaration annexed thereto to Two or more of the said Commissioners, with the Amount of the Duty to be charged; who shall thereupon cause the Assessment to be made according to such Certificate, and the same Rate of Single Duty as set forth in the said several Acts respectively, to be charged on the Person making such Return, without further Trouble or Delay; but if upon Examination of

Surveyor may certify same, and Party shall be charged at Single Duty.

of such List or Return, and Declaration annexed thereto, the said Surveyor or Inspector shall see just Cause to object thereto, he shall thereupon certify such Return and Declaration annexed thereto, together with the Cause of his Objection, to Two or more of the said Commissioners, who shall thereupon cause the Assessment to be made according to such last mentioned Certificate in Double the Amount of the Duty at which he or she shall be charged, and from which Charge no Abatement shall be made on any Pretence, unless on Appeal as hereinafter is directed; of which Objection, Notice shall be given by the Surveyor or Inspector to the Person to be charged thereby, together with the Cause of his Objection to the said Return and Declaration to be annexed thereto; and the said Commissioners shall determine the said Objections on the Merits, without further Notice of Appeal from the Party so charged.

If dissatisfied
may state Ob-
jection.

Notice of
Objection.

Ninth.—Every such Declaration, in Cases where no Return hath been previously made by the Person so charged for the same Year, shall alledge and declare in Substance, or to the Effect as follows; (that is to say) That he or she the said Exhibitant was not at his or her Dwelling-house or other Place of Abode at the time appointed for the fixing or Delivery of General or other Notices for making a Return as required by the said Act or Acts, nor between that Day and the time limited for making such Return to the Assessor, and that he or she hath not received or had any Knowledge of any such Notice; or, that he or she was disabled by Sickness from making such Return; or, that the Non-delivery of such Return was occasioned by the following Mistake or Accident, without any Intention to defraud the Revenue, *videlicet*, [*here set forth the Cause of such Default*]; and that the Return to which the Declaration of the said Exhibitant is annexed is a full, perfect and complete Return of all Matters and Things required of the said Exhibitant by the said Act or Acts, or by this Act, to the best of his or her Judgment and Belief:—Which Declaration and Return shall severally and respectively be signed by the Party making the same, in the Proper Name and Hand-writing or Sign of the said Party, and attested by any One or more credible Witnesses or Witnessess, who shall have seen the said Party subscribe or sign the same, and shall attest the Signature thereof in the proper Names and Hand-writing of the said Witnesses or Witnessess respectively; provided every such Witness shall be an Inhabitant of the same Ward, Parish or Place where the said Party shall reside, and who shall be rated in the Assessment of the same Duties for the same Ward, Parish or Place aforesaid, or if in any Place there shall be no Inhabitant competent to be such Witness, then the said Declaration shall be attested by some credible Witness, rated as aforesaid, and residing in the next adjoining Parish where the said Party shall reside.

Declaration to
contain a satis-
factory Account
in Excuse of
Party, and to
be attested by
credible Wit-
nesses.

Tenth.—It shall be lawful for any Person to whom such Notice of Charge shall be served on occasion of his or her having omitted in the Return before made for the same Year, any Person, Property, Profits, Description, Statement, Account or Estimate, or any Article, Matter or Thing which ought to have been contained in such former Return, or which shall be mentioned in such Notice of Charge not to be contained in such former Return, or of having claimed any Exemption, Allowance or Deduction not allowed by the said Act or Acts respectively, or of having returned the Amount or Value of any Property or Profits at less than the Sum which ought to be returned according

How, on Charges
for any Omission
in a Return,
Double Duty
may be avoided.

Charge made in
Single Duty,
unless Surveyor
certify Objection.

Form of De-
claration in Cases
of Charge for
defective Re-
turns.

No Declaration
required if Party
give Notice in
Writing to Sur-
veyor that his
Return is cor-
rect, &c.

according to the said Acts respectively, if he or she shall consent or agree to such Charge, to give Notice in Writing of his or her Consent accordingly to the said Surveyor or Inspector; and the said Surveyor or Inspector shall certify such Consent, and the Amount of the Single Duty which ought to be charged to the said Commissioners, according to which Certificate the Party charged, and consenting thereunto, shall be assessed in the Single Duty, and such Consent shall be deemed equivalent to an amended Return and Declaration as required by this Act; or such Person so charged, if he or she shall not so consent or agree in manner aforesaid, may amend such former Return, by delivering to the Surveyor or Inspector as aforesaid, a Supplementary List, Statement, Account or Estimate, according to the Directions of the said Acts respectively, and as the Case may require, to which a Declaration in Writing shall be annexed to the Effect hereinafter mentioned; and the said Surveyor or Inspector shall be at Liberty to certify his Satisfaction therewith, or his Objection thereto, to the said respective Commissioners; according to which Certificate the Party charged shall be assessed in the Single Duty if such Surveyor or Inspector shall be satisfied therewith, or in the Double Duty in the manner hereinbefore directed, in Cases where no previous Return shall have been made, and as the Case may require, subject to the like Power of Appeal from such Objection, and to the like Proceedings in all other respects as are before given.

Eleventh.—Every such last mentioned Declaration shall alledge and declare the Grounds and Cause of each Omission made or mentioned in such Notice of Charge, to have been made in such former Return, and also the Grounds and Cause of each Claim of Exemption, Allowance or Deduction, and also that the Return to which the said Declaration is annexed is a full, perfect and complete Return of all Matters and Things required of him or her by the said Act or Acts, or by this Act, to which the said Charge shall relate, to the best of his or her Judgment and Belief, and that such Omission or Claim was not made with Intention to defraud the Revenue; which said last mentioned Declaration and Return shall severally and respectively be signed and attested in the manner before directed in cases of other Declarations and Returns before mentioned.

Twelfth.—No Return or Declaration shall be required of any Property, Profits, Article, Matter or Thing of which the Party charged shall have made a due Return for the same Year, but the said Party shall be at Liberty to give Notice in Writing to the said Surveyor or Inspector that he or she doth abide by such former Return; or may make out and deliver a Supplementary Return and Declaration in the manner before directed; which Return and Declaration, together with the Return before made, subject nevertheless to the Objection of the said Surveyor or Inspector in manner aforesaid, shall be deemed full, perfect and complete Returns, if the same shall together include all Articles, Matters and Things for which the Party so charged shall be chargeable; and no Person shall be liable to the Penalties contained in this Act for any Article, Matter or Thing which shall have been returned by him or her in manner aforesaid, so that he or she might have been fully charged to the said respective Duties chargeable thereon, but only for such Articles, Matters or Things which shall not have been returned by him or her in manner aforesaid.

Thirteenth.

Thirteenth.—If any Surveyor or Inspector shall wilfully make any false and vexatious Charge of any of the said Duties, or shall wilfully deliver or cause to be delivered to the respective Commissioners for executing the said Acts or any of them, any false and vexatious Certificate of Charge of any of the said Duties, or any false and vexatious Certificate of Objection to any Supplementary Return, or shall be guilty of any fraudulent, illegal or unjust Conduct in the Prosecution of any Charge of any of the said Duties, or shall wilfully neglect the Duty of his Office, or in any manner offend against the Laws for regulating the Duty of his said Office, and the same shall be proved on the Certificate of the said respective Commissioners of the Division where such Offence shall be committed, or any Two or more of them, or on the Affidavit on Oath or solemn Affirmation, to be taken before any One of the said respective Commissioners, or any credible Person or Persons to the Satisfaction of the Commissioners for the Affairs of Taxes, or any Two or more of them, or by the Confession of the said Surveyor or Inspector, it shall be lawful for the said Commissioners for the Affairs of Taxes, for any such Offence, to suspend the Payment to the said Surveyor or Inspector of all or any Reward, Emolument or Advantage which the said Surveyor or Inspector would be entitled to under the said Acts or any of them, for any Increase of Duty or Overplus above the Rate of Duty occasioned by the Information or Charge of the said Surveyor or Inspector, or such Part thereof as the said Commissioners for the Affairs of Taxes shall deem just and necessary, and finally to withhold the same, and direct the same to be paid by the Receiver General into His Majesty's Receipt of Exchequer; unless the Lords Commissioners of His Majesty's Treasury shall think fit to restore the same to the said Surveyor or Inspector, or to mitigate and lessen the Sum so to be withheld and paid over into His Majesty's Exchequer: **Provided** always, that nothing hereinbefore contained shall be construed to impeach or affect any Action or Suit for the Recovery of any Penalty or Penalties imposed by any former Act or Acts, against such Surveyor or Inspector for any such Offence or Offences as aforesaid, or for any false and vexatious Charge of any of the said Duties; but all such Penalties, and the Powers for Recovery thereof, shall be and remain in Force notwithstanding the Powers of this Act, or any Act or Thing done in pursuance thereof.

Vexatious Charge, &c.

Provido.

Fourteenth.—Where any Person or Persons thinking himself, herself or themselves respectively overcharged or over-rated by any Charge or Certificate of Objection by any Surveyor or Inspector as aforesaid, or by any Assessment to be made by virtue or in pursuance of such Charge or Certificate, shall have appealed therefrom to the said Commissioners according to the Directions of the said Acts respectively, the Appellant shall, upon the Hearing such Appeal, in all Cases where a List, Statement, Account or Estimate in Writing, shall or ought to have been delivered by the said Appellant to the Assessor, produce or cause to be produced before the said Commissioners a true, perfect and complete List, Statement, Account or Estimate, as the Case may require, to the best of the Judgment and Belief of the said Appellant, with a Declaration in Writing thereunto annexed, to the Effect hereinafter mentioned; (that is to say) the said Appellant shall declare that the List, Statement, Account or Estimate to which the said Declaration is annexed, doth contain all Matters

Appeal.

Production of Lists, &c.

Charges confirmed in default of Production.

Assessments made in Double Duty, &c.

In what case Double Duty remitted.

Double Duty remitted where Default has been corrected by Party's Return.

Moiety of Double Duty remitted where Default not fraudulent.

Matters and Things required of the said Appellant to be returned by him or her, for which he or she is chargeable by virtue of any Act or Acts, to the best of his or her Judgment and Belief; which Return and Declaration shall severally and respectively be signed by the said Appellant in the proper Name and Hand-writing of the said Appellant; and in default of the Production of such List, Statement, Account or Estimate, by or on the Behalf of the said Appellant, with such Declaration annexed, the said Commissioners shall confirm the Charge or Objection against which such Appeal was made.

Fifteenth.—Upon every Charge allowed or confirmed by the respective Commissioners, in the whole or in part, upon which any Increase of Duty shall be made, the Assessments thereupon shall be made in Double the Amount of Duty which shall have been charged in the Supplementary Assessments on occasion of such Charge, unless where the same is otherwise provided for by this Act.

Sixteenth.—Where an amended Return, with a Declaration annexed thereto, shall not be delivered to the Surveyor or Inspector, and where no List, Statement, Account or Estimate with such Declaration annexed as aforesaid shall be produced to the said Commissioners, on the Hearing of such Appeal, it shall not be lawful for the said respective Commissioners to make any Abatement, Defalcation or Remission of the said Double Duty or any Part thereof, but the same shall stand good and remain Part of the annual Assessment; unless the Party charged shall have given Notice of his or her Consent to the Charge of the said Surveyor or Inspector, or unless the said respective Commissioners shall be of Opinion, that the said Surveyor or Inspector was or were enabled to correct or amend the first Assessments of the said Duties for that Year, according to the Directions of this Act, by means of or by Reference to the original Return of the Party so charged, in which Cases it shall be lawful for the said Commissioners who shall have confirmed such Charge, at the same time to remit and strike off the Whole of the said Double Duty.

Seventeenth.—Upon every Charge confirmed upon Appeal, if the said Commissioners shall, after Examination of the Appellant, or by other lawful Evidence produced on his or her Behalf, as directed by the said Acts respectively, be of Opinion that the alledged Default, Neglect, Omission or Claim of Exemption, Allowance or Deduction, hath been duly accounted for, and that the Cause or Causes have been truly stated in any amended Return and annexed Declaration, and that the Appellant had a just or reasonable Cause of controverting the said Charge, and that the said Default, Neglect, Omission or Claim of Exemption, Allowance or Deduction, was not wilfully made and with Intention to defraud the Revenue, it shall be lawful for the said Commissioners who shall have determined the said Appeal, although they shall have confirmed the Charge in part or in the whole, at the same time to remit and strike off the whole of the Double Duty.

Eighteenth.—Upon every Charge confirmed upon Appeal, although no amended Return shall have been delivered to the Surveyor or Inspector as allowed by this Act, if the said Commissioners shall, after Examination of the Appellant, or by other lawful Evidence produced on his or her Behalf, as directed by the said Acts respectively, be of Opinion that the alledged Default, Neglect, Omission or Claim of Exemption, Allowance or Deduction, was not wilfully made, and

with Intention to defraud the Revenue, it shall be lawful for the said Commissioners who shall have determined the said Appeal, at the same time to remit and strike off any Part of the said Double Duty, not exceeding One Moiety thereof; Provided that in every such case if the Appellant shall prove to the Satisfaction of the said Commissioners, that he or she hath been prevented from making such amended Return within the time herein limited by Absence or Sickness or other sufficient Cause, and that such Default, Neglect, Omission or Claim as aforesaid was not wilfully made, and with Intention to defraud the Revenue, it shall be lawful for the said Commissioners to remit and strike off the Whole of the said Double Duty.

In what case the whole of Double Duty remitted, &c.

Nineteenth.—Nothing herein contained shall be construed to grant the Double Duty, or any Part thereof, on any of the said Duties, if the Party charged shall not by the Laws in Force at and immediately before the passing of this Act, be directed to return the Article, Matter or Thing on which the said Duties shall be chargeable, and for which the said Party was so charged.

In what case no Double Duty.

Twentieth.—Every Increase of Duty made by occasion of such Charges, whether the Whole of the Double Duty shall be remitted or not, and also the Double Duty, or such Part thereof which shall not be remitted, shall be certified on the Supplementary Assessments to be made for each Year under the Hands of the said respective Commissioners or any Two of them, to the Commissioners for the Affairs of Taxes; and the said Commissioners for the Affairs of Taxes shall have Authority to direct the Receiver General who shall have received the said Increase and Double Duty, to pay to the said Surveyor and Inspector out of the same in such Proportions as they shall think proper, or to either of them as they see fit, any Sum of Money not exceeding the Rate which shall have been settled by the Lords Commissioners of the Treasury, or the High Treasurer for the time being, as a Reward for their Labour and Diligence in making such Increase of Duty; and the Certificate of the said Commissioners for the Affairs of Taxes, or any Three or more of them, shall be a Warrant to the said Receiver General to pay the same.

Reward to Officers.

Twenty first.—The Determination of the Commissioners acting for the General Purposes of the Acts relating to the Duties arising from the Profits of Property, Professions, Trades or Offices, upon any Objection made by the Surveyor or Inspector of the said Duties to the Estimate or Value of any Property, or to the Estimate of the Profits of any Profession, Trade or Office on which any Assessment after Appeal shall be made, shall be construed to preclude any Surveyor or Inspector from afterwards making a further Charge on the same Person or Persons for the same Property or Profits for the same Year of Assessment; and in like manner, the Determination of the said Commissioners upon every such Objection to the Estimates or Value delivered by the Assessors of the Property in any Parish, Ward or Place in which Assessments after Appeal shall be made, shall preclude the Surveyor or Inspector from afterwards making a further Charge on the same Property in the same Parish, Ward or Place in that Year.

Charges not to be made after Objections to Estimates of same Property.

Twenty second.—The Objection of any Surveyor or Inspector to the Estimate or Estimates of any Person or Persons, or of the Assessor or Assessors of any Parish, Ward or Place, or to any Assessment

Charges may be made after Objections in certain cases,

or

or Assessments of additional Commissioners in pursuance of the said last mentioned Acts, in relation to the Duties arising from the Profits of Property, Professions, Trades and Offices, shall not be construed to preclude any Surveyor or Inspector from afterwards charging the same Person or Persons for any other Property, or the Profits of any other Profession, Trade or Office not included in the Estimate or Estimates, Assessment or Assessments before objected to, and determined as aforesaid; nor to preclude any Surveyor or Inspector from afterwards objecting to any other Estimate or Estimates, or Assessment or Assessments, or from afterwards charging any other Person or Persons in the same Parish, Ward or Place, or in any other Parish, Ward or Place in the same or any other Division, in respect of any Property or the Profits of any Profession, Trade or Office, not before objected to and determined as aforesaid; and the respective Commissioners acting for the General Purposes of the said last mentioned Acts are hereby strictly enjoined and required to sign and allow such last mentioned Objections and Charges according to the Directions of the said Acts, in respect of the Powers therein given to such Surveyor and Inspector; provided, that all such Objections and Charges be made within the Times herein respectively limited.

Objection to be
made before
Assessment.

Twenty third.—From and after the passing of this Act, every Objection to the Estimates directed to be made by the said last mentioned Acts, in relation to the Duties arising from the Profits of Property, Professions, Trades or Offices, shall be made before the First Assessments on such Estimates shall have been signed and allowed by the Commissioners for the General Purposes of the said Acts, and not afterwards.

Charges to be
made in a limited
time.

Twenty fourth.—No Charge upon any Assessment under the said last mentioned Acts, in relation to the Duties arising from the Profits of Property, Professions, Trades or Offices, shall be allowed or signed, unless the Certificate thereof shall be delivered to the respective Commissioners before the Expiration of Three Calendar Months after the Fifth Day of *January* in the Year of such Assessment, in case such Assessment shall have been made on or before the said Fifth Day of *January*, or if such Assessment shall not then have been made, unless the Certificate of Charge thereon shall be delivered to the said Commissioners within Three Calendar Months after such Assessment shall have been made, except in the Cases hereinafter mentioned.

When Charges
of Property
omitted may be
made

Twenty fifth.—If any Person or Persons shall have neglected to make a Return of Property or Profits as required by the said last mentioned Acts, and no Estimate of the said Property or Profits, nor any Assessment shall be made thereupon for any Year, it shall be lawful for the Surveyor or Inspector, on Discovery thereof at any time within Twelve Calendar Months after the Expiration of the Year, when such Return ought to have been made, to charge such Person or Persons to the Amount which ought to have been returned, in like manner as such Persons might have been charged within the Year of Assessment; and the like Proceedings shall be thereupon had, as if such Discovery and Charge had been made within the Year of Assessment; and every Assessment thereupon made shall be added to the current Assessments of the Parish, Ward or Place, in the manner herein directed.

Twenty

Twenty sixth.—If any Person or Persons shall by any Falsehood, wilful Neglect, Fraud, Covin or Contrivance whatever, escape from Taxation for the Profits of any distinct Property, Profession, Trade or Office for any Year, it shall be lawful for the Surveyor or Inspector, within the like Period of Twelve Calendar Months as aforesaid, to charge such Person or Persons to Double the Amount of Duty which ought to have been charged in the Year of Assessment upon such distinct Property, Profession, Trade or Office; and upon Proof of such Falsehood, wilful Neglect, Fraud, Covin or Contrivance, to the Satisfaction of the Commissioners to whom such Charge shall be certified, the Assessment on the said Double Duty shall stand good, and be added to the Supplementary Assessments of the current Year of the Parish, Ward or Place; and no Part thereof shall be remitted on any Pretence whatever.

In case of Fraud,
Charge to be
made.

II. And be it further enacted, That the several Provisions in the preceding Clause of this Act, relating to Charges in the Single Duty as aforesaid, shall be construed, so far as the same respect the Duties of Assessed Taxes in that Part of Great Britain as aforesaid, as applicable to the Provisions of an Act passed in the Forty third Year of the Reign of His present Majesty, intituled, *An Act for repealing the several Duties under the Management of the Commissioners for the Affairs of Taxes, and granting new Duties in lieu thereof; for granting new Duties in certain Cases therein mentioned; for repealing the Duties of Excise on Licences, and on Carriages constructed by Coachmakers, and granting new Duties thereon, under the Management of the said Commissioners for the Affairs of Taxes; and also new Duties on Persons selling Carriages by Auction or Commission; and any other Act or Acts for regulating the said Duties respectively, and relating to Surcharges in the Double Duty, and as far as the said Provisions respect the Duties arising from the Profits of Property, Professions, Trades and Offices in that Part of Great Britain as aforesaid, the same shall be construed as applicable to the Provisions of an Act passed in the Forty sixth Year of the Reign of His present Majesty, intituled, *An Act for granting to His Majesty during the present War and until the Sixth Day of April next after the Ratification of a Definitive Treaty of Peace, further additional Rates and Duties in Great Britain on the Rates and Duties on Profits arising from Property, Professions, Trades and Offices; and for repealing an Act passed in the Forty fifth Year of His present Majesty, for repealing certain Parts of an Act made in the Forty third Year of His present Majesty, for granting a Contribution on the Profits arising from Property, Professions, Trades and Offices; and to consolidate and render more effectual the Provisions for collecting the said Duties; and any other Act or Acts for regulating the said Duties respectively, and relating to Surcharges in the Double Duty, and as if the said Provisions in the said Clause of this Act relating to Charges in the Single Duty had been expressly applied to the Provisions of the said Acts respectively relating to Surcharges in the Double Duty, and had been respectively enacted therein; and all Provisions, Clauses, Matters and Things in the said several Acts respectively, which are repugnant to the Provisions in the said Clause of this Act, and for which other Provisions are made in this Act, except such Provisions, Clauses, Matters and Things therein as relate to Surcharges in the Double Duty which are herein declared to be**

Provisions before
mentioned relating
to Charges
in Single Duty,
and relating to
Surcharges in
Double Duty,
to be construed
as applicable to
the Provisions of
43 G. 3. c. 161.
and
46 G. 3. c. 53,
&c.

Provisions in
Acts repugnant
hereto repealed.

applicable to the Provisions of this Act shall severally cease and determine.

Commissioners
acting not liable
to Suits.

III. And be it further enacted, That in case any Commissioner or Commissioners acting in the Execution of any such Act or Acts herein mentioned, or of this Act, shall, by Information, or other Process or Proceedings whatsoever at the Suit or on the Behalf of His Majesty, his Heirs or Successors, be proceeded against or impleaded for or by reason of any Matter or Thing he or they may do or determine, or may refuse or omit to do in or about the Execution of any such Act or Acts, and upon the Trial of such Information or other Process a Verdict shall be given, or any Order or Rule of Court shall be made for such Commissioner or Commissioners, or such Information or other Process or Proceeding shall be discontinued or withdrawn, or dismissed the Court in which they shall have been prosecuted, then, and in either of the said Cases, such Commissioner or Commissioners shall be entitled to his or their full Costs of Suit, to be taxed by the proper Officer of such Court as between Attorney and Client; and it shall be lawful for the Commissioners for the Affairs of Taxes to direct the Receiver General of the County within which any such Commissioner or Commissioners shall act, and the said Receiver General is hereby required to pay such taxed Costs out of any Money in his Hands arising from the Duties of Assessed Taxes, and which shall be allowed in the Accounts of the said Receiver General.

Costs.

43 G. 3. c. 161.
§ 29, repealed.

IV. And be it further enacted, That so much of an Act made in the Forty third Year of the Reign of His present Majesty, intituled, *An Act for repealing the several Duties under the Management of the Commissioners for the Affairs of Taxes, and granting new Duties in lieu thereof; for granting new Duties in certain Cases therein mentioned; for repealing the Duties of Excise on Licences, and on Carriages constructed by Coachmakers, and granting new Duties thereon, under the Management of the said Commissioners for the Affairs of Taxes; and also new Duties on Persons selling Carriages by Auction or on Commission*, as directs that every Person who should begin to retain or employ any Male Servant, or other Male Person therein described, or keep or use any Carriage, (such Servant or Carriage not being in the Place or Stead of any former one liable to the like Duty) or to use or exercise the Trade of an Horsedealer, or Coachmaker or Maker of such Carriages, or a Seller thereof by Auction or on Commission, or to wear or use Hair Powder, or any Armorial Bearings or Ensigns, or who should cease to retain or employ any Male Servant, or to keep or use any Carriage liable to the Duty without retaining or employing any other Male Servant or other Male Person therein described, or keeping or using any other Carriage liable to the like Duty in the Place or Stead of such Servant or Carriage, or who should cease to use or exercise the said Trade or Business of an Horsedealer, or of a Coachmaker or Maker of such Carriages, or a Seller thereof by Auction or on Commission, or to wear or use any Hair Powder, or any Armorial Bearings or Ensigns, should, within Twenty Days after he or she should so begin or cease to retain or employ such Servant or other Male Person, or to keep or use such Carriage, or to use or exercise such Trade or Trades, or to wear or use any Hair Powder, or any Armorial Bearings or Ensigns, cause Notice thereof in Writing to be given

Notice to
Assessor.

to the Assessor or Assessors for the District, Parish or Place where he or she should reside, and a List of the Number of such Servants and Carriages, and the Increase or Decrease made thereby, and the particular Rate of Duty to which he or she should be liable as having used or exercised such Trade or Trades, or worn or used Hair Powder or Armorial Bearings or Ensigns, describing in such Notice every such Servant or other Male Person by his proper Name, and the several Capacities in which Servants or other Male Persons respectively should be or should have been retained or employed, and also describing every such Carriage by its usual Name and Description, distinguishing the Number of Bodies used with, and of Wheels belonging to each such Carriage, and the Number of Horses used in drawing any such Carriage with less than Four Wheels, and also distinguishing each such Carriage liable as a taxed Cart, and the Name or Names and Place of Abode of the Person or Persons who ought to return such Lists; shall be and the same is hereby repealed.

‘ V. And whereas by the said last mentioned Act of the Forty 43 G. 3. c. 99.
 ‘ third Year of His present Majesty’s Reign it is enacted, That the § 46.
 ‘ respective Commissioners should cause Two Duplicates of every
 ‘ Assessment to be made out on Parchment by their Clerk, within
 ‘ One Month at farthest after the Tenth Day of *February*, after
 ‘ the making the said Assessment yearly, to be delivered as therein is
 ‘ mentioned under a Penalty on the Clerk to the said Commissioners
 ‘ who shall neglect or refuse to make out and deliver such Duplicates
 ‘ within the time before directed: And whereas it is necessary to
 ‘ give further time for making out and delivering such Duplicates;’

Be it further enacted, That in respect of the Duties of Assessed Taxes, the said respective Commissioners shall cause the Duplicates required by the said Act to be made out after the time appointed by the said Act for making the Supplementary Assessments of the said Duties yearly, and within One Month at farthest after all Appeals from the said Supplementary Assessments shall have been heard and determined, and so that the same may be delivered to the Receiver General and to the Commissioners for the Affairs of Taxes respectively, on or before the Day to be appointed for the Receipt of the last Instalment of the said Duties next after the Fifth Day of *April* yearly; and in respect of the Duties arising from the Profits of Property, Professions, Trades and Offices, the said respective Commissioners shall cause the Duplicates required by the said Act to be made out after the Time appointed by this Act, for making the Supplementary Assessments of the said last mentioned Duties yearly, and within One Month at farthest after all Appeals from the said Supplementary Assessments shall have been heard and determined, and so that the same may be delivered to the Receiver General and to the Commissioners for the Affairs of Taxes respectively, on or before the Day to be appointed for the Receipt of the last Instalment of the said last mentioned Duties next after the Fifth Day of *July* yearly; and no Clerk to the said respective Commissioners who shall make out and deliver the respective Duplicates required by the said Act within the time aforesaid shall be sued or prosecuted for, or liable to the Penalty contained in the said Act by reason of not making out or delivering the said respective Duplicates within the time directed by the said Act.

Time for making out and delivering Duplicates of Assessments enlarged.

No Person having made out Lists of the greatest Number of Servants, &c. shall be compellable to make out a fresh List.

Provido.

In what cases Double Duty struck off.

Time allowed for delivering in amended Return.

VI. Provided always, and be it further enacted, That no Person who shall in the Year One thousand eight hundred and ten, or in any Year, have made out, signed and delivered in the Manner directed by the said last mentioned Act made in the Forty third Year of the Reign of His present Majesty, or shall in any future Year make out, sign and deliver in like manner, Lists of the greatest Number of Servants or other Male Persons retained or employed, and of Carriages, Horses, Mules and Dogs kept by such Person, or of having worn or used Hair Powder or any Armorial Bearings or Ensigns, in the Course of the Year ending on the Fifth Day of *April* preceding the Delivery of such List, and who shall continue to retain or employ the like Number and Description of Servants or other Male Persons, and keep the like Number and Description of Carriages, Horses, Mules and Dogs respectively, or wear or use Hair Powder, or Armorial Bearings or Ensigns, in the like manner subject to the like Duty as in the Year to which such List related, and in the same Ward, Parish or Place, shall be obliged to make out, sign and deliver such Lists or either of them, in any succeeding Year, nor be subject or liable to any Penalty for omitting or neglecting so to do, so long as such Person shall continue to reside in such Ward, Parish or Place, and shall not be chargeable in any other Ward, Parish or Place, for any Servant, Carriage, Horse, Mule or Dog kept by such Person: Provided always, that such Person shall in each Year deliver or cause to be delivered to the Assessor or Assessors of the Ward, Parish or Place, Notice in Writing that he or she is desirous of being charged for the same Articles, Matters and Things as in the preceding Year; and every such Notice shall be an Authority for the said Commissioners to charge such Person in the First Assessments for that Year for the same Articles, Matters and Things respectively, for which such Person stood charged in the Assessments of the preceding Year.

VII. And be it further enacted, That in all Cases of Charge by any Surveyor or Inspector as aforesaid, of any of the Duties on Servants, Carriages, Horses, Mules and Dogs, and for using Hair Powder, or Armorial Ensigns, where it shall be proved on Appeal to the Satisfaction of the said Commissioners acting for the Division, that there was any Doubt whether the Article or Articles so charged was or were rateable within the meaning of the said Acts, or any of them, and that the Omission thereof or alledged Default was not wilfully made and with Intention to defraud the Revenue, it shall and may be lawful for such Commissioners to remit or strike off the whole of the Double Duty chargeable on the Person or Persons so charged.

VIII. And be it further enacted, That every Person to be charged in pursuance of this Act by the Certificates of any Surveyor or Inspector, shall have the full Period of Ten Days after Service of the Notice of such Charge, to deliver his or her amended Return to such Surveyor or Inspector, according to the Directions of this Act, and no Certificate of such Charge shall be signed or allowed by the said Commissioners, nor any Appeal shall be heard from such Charge before the Expiration of such Period of Ten Days; and if the Person so charged shall before the Expiration of the said Period deliver a Return and Declaration as aforesaid, which the said Surveyor or Inspector shall object to, then such Return and Declaration shall be deemed

deemed to be a sufficient Notice of Appeal from such Charge to the Commissioners of the Division, who are hereby required to hear and determine the Matter thereof, according to the Directions of this Act; and if the Person so charged shall not before the Expiration of the said Period of Ten Days deliver a Return or Declaration as aforesaid, it shall be lawful for the said Commissioners, upon the Appearance before the said Commissioners of the Person charged, or some Person on his or her Behalf, and the Delivery to them of such List and Declaration as is hereinbefore required on the Day or Days appointed for hearing Appeals from the Charges of such Surveyor or Inspector, to hear and determine the Matter of such Charge, according to the Directions of this Act, notwithstanding the Person so charged shall not have given any previous Notice of his or her Intention to appeal; Provided that in default of the Appearance of the Party charged before the said Commissioners, or some Person on his or her behalf, on such Day or Days of Appeal, or in default of the Production of such List or Declaration as aforesaid, the Certificate of such Charge shall be confirmed by the said Commissioners.

IX. And be it further enacted, That if any Person in any such Declaration as aforesaid shall wilfully and fraudulently declare any Matter or Thing which shall be false or untrue, every Person so offending, and being thereof lawfully convicted, shall be judged guilty of a Misdemeanor, and shall be committed to the Gaol of the County, Riding or Shire where such Offence shall be tried, for any Space of time not exceeding Six Calendar Months, and shall be fined in such Sum, not exceeding Treble the Amount of Duty for which such Person shall have been charged, as the Court before whom such Trial shall be had shall think fit to order.

Making false
Declaration,
Misdemeanor.

X. And be it further enacted, That any Indictment for such Misdemeanor in making a false Declaration as aforesaid, whether such Declaration shall be made within *Great Britain* or without, shall be laid, tried and determined in the County, Riding or Shire where such Declaration shall be exhibited, to the respective Commissioners of the Duties to which such Declaration shall relate.

Indictment for
false Declaration
how laid, &c.

XI. And whereas by an Act passed in the Forty eighth Year of the Reign of His present Majesty, intituled, *An Act to amend the Acts relating to the Duties of Assessed Taxes, and of the Tax upon the Profits of Property, Professions, Trades and Offices, and to regulate the Assessment and Collection of the same*, certain Rules and Directions are contained for paying to the Receiver General and accounting for the Duties received by the Collectors in that Part of *Great Britain* as aforesaid: And whereas it is expedient that the same should be altered and amended in certain Particulars; Be it further enacted, That whenever any Schedule of Arrears shall have been or shall be transmitted by the respective Commissioners acting in the Execution of the Acts in relation to the Duties therein mentioned, or any of them, to the Receiver General of the said respective Duties, and the Commissioners for the Affairs of Taxes shall be of Opinion that the said Duties in Arrear might more conveniently be collected by the respective Collectors of the said Duties in their respective Districts, according to the Directions of the several Acts granting the said Duties, or other Acts relating to the said respective Duties, than by Process to be issued out of the Court of Exchequer, it shall be lawful for the said Commissioners for the Affairs of Taxes, to

48 G. 3. c. 147.
No. 3.

Arrears of Duties
may be collected

direct the said Receiver General to return the said Schedules to the said respective Commissioners from whom he or they received the same; and the said respective Commissioners shall cause the said Duties in Arrear to be levied under all or any of the Powers and by any of the ways and methods prescribed in the said Acts respectively, without Delay.

C A P. CVI.

An Act for regulating the Manner of assessing Lands, in certain Cases, to the Duties arising from the Profits of Property, Professions, Trades and Offices, and for giving Relief from the said Duties on occasion of Losses, in other Cases therein mentioned. [20th June 1810.]

46 G. 3. c. 65.
Sch. A. No. 1.

Rules to be observed in assessing Land at reserved Rent, and for Improvement.

WHEREAS by an Act passed in the Forty sixth Year of the Reign of His present Majesty, for granting certain Duties on the Profits arising from Property, Professions, Trades and Offices, the Duty on Lands and Tenements is thereby directed to be estimated and assessed according to a general Rule in the said Act set forth: And whereas Doubts are entertained as to the manner of applying the said Rule to the Cases of Lands demised, in the manner and under the Circumstances herein contained: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That upon every Demise for Years of Lands situate in any Part of *Great Britain*, made or to be made in consideration of a Rent reserved, and also in consideration of certain Improvements to be made in the Lands demised at the proper Cost and Charge of the Lessee or Tenant, if it shall be proved to the Satisfaction of the Commissioners for the general Purposes of the said Act, acting for the Division where such Lands are situate, that the Rent reserved hath been settled on the Estimate of the Medium annual Value of the said Lands, computed on an Average for the whole Term granted in expectation of the progressive Improvement of the said Farm, at the Cost and Charge of the said Lessee or Tenant, and that the said annual Rent is fixed and made payable to the same Amount in each Year on the said Average, whereby the said Rent so estimated and made payable did or doth exceed the just annual Value of the said Lands, as the same were or are worth to be let at Rack Rent on or at the Commencement of the Term granted in and by the said Demise, then, and in every such case, the Estimate of the annual Value of the said Lands, and the Assessment thereupon, shall be made and computed according to the following Rules; that is to say, in regard that the Rent reserved hath been settled on a fair Average of the annual Value of the said Lands, computed on the whole of the Term so granted, it shall be lawful for the said Commissioners in every such case as aforesaid, and they are hereby required on due Proof of the Circumstances before mentioned, to cause the said Duty payable in respect of the Property in the said Lands to be estimated, computed and charged on the Amount of the Rent so reserved and made payable as aforesaid, for each Year of Assessment during the said Term

Term to come after the passing of this Act, without Variation during the said Term ; subject nevertheless to such Deductions as by the said Act are allowed ; and it shall also be lawful for the said Commissioners, and they are hereby required in every such Case, to cause the said Duty payable in respect of the Occupation of the said Lands, to be estimated, computed and charged on the full and just Value of the said Lands, to be ascertained at the times and in manner hereinafter mentioned ; that is to say, on all such Demises made before the passing of this Act the annual Value of the said Lands shall be the Rack Rent at which the same are worth to be let by the Year, to be ascertained at the Commencement of the First Year of Assessment after the passing of this Act, by a Valuation to be made thereof under the Powers and according to the Directions of the said Act, and to the Satisfaction of the said Commissioners, which Valuation shall be in force for the Term of Seven Years of Assessment, if the said Demise of the said Lands shall not sooner expire ; and a like Valuation of the said Lands shall be made at the End of every Seventh Year of Assessment during the Continuance of the said Demise, and the Amount ascertained by such Valuation shall be deemed to be the Rack Rent at which the said Lands are worth to be let for each Period of Seven Years, if the said Demise shall not sooner expire, and the Assessment thereupon shall in each Year during the said respective Periods of Seven Years be made on the last or preceding Valuation ; and on all such Demises to be made after the passing of this Act, the annual Value of the said Lands shall be the Rack Rent at which the same are worth to be let by the Year, to be ascertained at the Commencement of the said Demise by a like Valuation to be made thereof in Manner aforesaid, and to be renewed at the End of every Seventh Year during the said Demise ; and each Valuation so made shall be in force for the Term of Seven Years, and shall govern the Assessment to be made in respect of the Occupation of the said Lands, in like manner as is before directed.

‘ II. And whereas Losses have been occasioned by Floods or Tempests, for which Relief should be granted to the Occupiers of such Lands on which Damage has been sustained, and also to the Owners thereof who shall have granted Compensations to their Tenants on occasion of such Losses ;’ Be it further enacted, That whenever by Floods or Tempests any Loss shall have been or shall be sustained on the growing Crops, or on the Stock on Lands demised to a Tenant or Tenants at a reserved Rent without Fine or other Sum paid, given or contracted for, in lieu of a reserved Rent or any Part thereof, or the said Lands or any Part thereof shall by such Floods or Tempests be rendered incapable of Cultivation for any Year, and it shall have been or shall be proved on Oath or solemn Affirmation to the Satisfaction of the Commissioners for the general Purposes of the said Act, acting for the Division where the said Lands are situate, that the Owner or Owners of the said Lands hath or have in consideration of such Losses abated or agreed to abate to his, her or their Tenant or Tenants, the Whole or any Proportion of the Rent reserved or payable by such Tenant or Tenants, for any Year or Years of such Demise, it shall be lawful for the said Commissioners to abate in the Assessment made in respect of the Property in the said Lands under the said Act for the same Year or Years for which such Rent hath been abated, and to discharge therefrom the Whole or

Losses sustained
by Occupiers
and Owners.

Relief

the

the like Proportion of Duty as the said Owner or Owners shall appear on such Proof as aforesaid to have abated of or from the Rent reserved and made payable to him or them on such Demise; and it shall also be lawful for the said Commissioners in every such Case to abate in the Assessment made in respect of the Occupation of the said Lands for the same Year or Years, and to discharge therefrom the like Proportion of Duty as shall have been abated or discharged from the Assessment made in respect of the Property on the said Lands for the Cause aforesaid.

extended to Occupiers and Owners where Owners are incapable of consenting to Abatement of Rent.

III. And be it further enacted, That whenever from the like Cause or Causes as aforesaid, the like Losses shall have been sustained on the Lands of any Infant, Idiot, Lunatic, or other Proprietor incapable of consenting to any Abatement in the Rent as aforesaid, being in the Occupation of any Tenant or Tenants as aforesaid, and the same shall have been proved before the said Commissioners to their Satisfaction, on Oath or Affirmation as aforesaid, it shall be lawful for them to abate in the Assessment made in respect of the Occupation of the said Lands; and to discharge the Whole or any Part of the said Duty, and in proportion to the Losses so sustained and to the Amount which the said Commissioners should be of Opinion would or ought to have been abated, pursuant to the Provisions of the preceding Clause, if the said Lands had belonged to a Proprietor of full Age and of sound Mind, and capable of such Consent as aforesaid.

Abatement of Assessment in case of Losses.

IV. And be it further enacted, That whenever from the like Cause or Causes as aforesaid, the like Losses shall have been sustained on Lands in the Occupation of the Owner or Owners, and the same shall have been or shall be proved before the said Commissioners to their Satisfaction on Oath or Affirmation as aforesaid, it shall be lawful for them to abate in the several Assessments made in respect of the Property in or Occupation of the said Lands, and to discharge the Whole or any Part of the said respective Duties, and in proportion to the Losses so sustained, and to the Amount which the said Commissioners shall be of Opinion would or ought to have been abated, pursuant to the Provisions of the said Clause if the said Lands had been demised to a Tenant, and a proportionate Abatement had or ought to have been made to such Tenant under the Circumstances of the said Loss.

Indemnification of Commissioners.

V. And be it further enacted, That upon all Claims made before the passing of this Act to Commissioners for the general Purposes of the said Act, for Abatements for Losses sustained by any Cause or Causes before mentioned, it shall be lawful for the said Commissioners to make such Abatements in like manner and to the like Extent, and in the like Cases and under the like Circumstances, as they are herein authorized to give Relief upon Claims to be made after the passing of this Act, and all Abatements of Duty made by Commissioners in the like Cases and under the like Circumstances as aforesaid, are hereby declared to be confirmed and valid and of the like Force as if the Claims for such Abatements, or such Abatements had been respectively made in pursuance of this Act; and the said respective Commissioners are hereby indemnified for so doing.

Making false Claim.

VI. Provided always, and be it further enacted, That if any Person or Persons shall be guilty of making any false Claim for such Abatement as aforesaid, or shall be guilty of any Fraud or Contrivance in making

making such Claim, or in obtaining any such Abatement, or shall fraudulently or untruly declare the Amount or Value of such Losses, or the Amount or Value of any Abatement made or agreed to be made in the Rent of the Lands in his or her Occupation, on account of such Losses, with Intent fraudulently to obtain any such Abatement, he, she or they so offending shall forfeit the Sum of Fifty Pounds, and Treble the Amount of Duty charged on such Person or Persons in respect of the said Lands; and if any Owner or Owners of any such Lands whereon such Losses have been sustained, or any other Person or Persons whatever, shall aid, abet or assist any Person or Persons charged to the said Duties, in making such false or fraudulent Claim, or shall fraudulently or untruly declare the Amount or Value of any Abatement made or agreed to be made in the Rent of the said Lands or Amount of such Losses, with intent fraudulently to obtain for himself, herself or themselves, or for his, her or their Tenant or Tenants, or for the Owner or Owners, or Tenant or Tenants of the said Lands, any such Abatement as aforesaid, every such Owner or Owners, or other Person or Persons aforesaid, shall forfeit the Sum of One hundred Pounds; which several Penalties shall be recovered and applied as any Penalties may be recovered and applied by the said Act. Penalty. Aiding. Penalty.

VII. And be it further enacted, That the Profits arising from the Docks called the *East India Docks*, situate in the County of *Middlesex*, shall be assessed by the Commissioners acting for the City of *London*, under the said Act for granting Duties arising from the Profits of Property, Professions, Trades and Offices, so long as the general Accounts of the said Docks shall be made up within the said City. East India Dock. Company how assessed.

C A P. CVII.

An Act to regulate the Examination and Payment of Assignments for Clothing of His Majesty's Forces.

[20th June 1810.]

‘ WHEREAS an Act passed in the Forty fifth Year of the Reign of His present Majesty, intituled, *An Act to repeal an Act made in the Twenty third Year of His present Majesty, for the better Regulation of the Office of Paymaster General of His Majesty's Forces, and the more regular Payment of the Army; and for the more effectually regulating the said Office*: And whereas it is expedient that the said Act should be amended as to examining and Payment of Assignments for the Clothing of His Majesty's Forces: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty fifth Day of *December* One thousand eight hundred and nine, all Assignments from Colonels or other Officers commanding Regiments, Corps, Troops or Companies in His Majesty's Regular and Fencible Forces, for the Clothing of such Regiments, Corps, Troops and Companies for any Period commencing from the Twenty fifth Day of *December* One thousand eight hundred and nine, or commencing from any subsequent Period, shall be transmitted to and lodged with the Secretary at War, to be examined 45 G. 3. c. 58. Assignments from Colonels, &c. for Clothing of Regiments, &c. transmitted to Secretary at War.

Warrants for
Payment.

Treasury may
permit Exporta-
tion of Military
Clothing, &c.
Duty free.

examined and checked with the proper Establishments of the several Regiments, Corps, Troops and Companies, for which such Assignments shall have been given, and the Amounts of Money to be issued for the Payment of such Assignments shall be ascertained by the Officer of the Secretary at War, in such manner, and under such Regulations as shall be from time to time made by the Secretary at War in that behalf; and all Monies to be issued in respect of such Assignments shall be included and specified in Warrants to be made out for that Purpose; and all Payments to be made by the Paymaster General of His Majesty's Forces, in respect of any such Assignments, shall be made and issued upon such Warrants only and not otherwise; and such Warrant shall be a sufficient Discharge to the Paymaster General for such Issue and Payment, any thing in the said recited Act or any other Act or Acts, or Law or Laws to the contrary notwithstanding.

II. And be it further enacted, That it shall be lawful for the Commissioners of His Majesty's Treasury, and they are hereby authorized or empowered by any Warrant or Order under the Hands of any Three or more of them, to permit and allow any Military Clothing, Accoutrements or Appointments for His Majesty's Forces to be exported and sent to any of His Majesty's Forces serving Abroad, whether in His Majesty's Dominions or otherwise, free of any Duty of Customs or Excise, or other Duty whatsoever, under such Restrictions and Regulations as shall be specified in any such Warrant or Order, or in any general Warrant or Order, made in that behalf, and transmitted to the Commissioners of His Majesty's Customs for the Regulation of the Export of any such Clothing, Accoutrements or Appointments, any Act or Acts of Parliament or Law or Laws to the contrary notwithstanding.

C A P. CVIII.

An Act to amend and enlarge the Powers of an Act, passed in the Second Year of His present Majesty, for the Encouragement of the Fisheries of this Kingdom, and the Protection of the Persons employed therein.

[20th June 1810.]

2 G. 3. c. 15.

§ 22.

§ 23.

WHEREAS by an Act made in the Second Year of the Reign of His present Majesty, intituled, *An Act for the better supplying the Cities of London and Westminster with Fish, and to reduce the present exorbitant Price thereof, and to protect and encourage Fishermen*, certain Persons therein described, being the Masters of Fishing Ships, Smacks, Vessels or Boats employed in the Fishery on any of the Sea Coasts of *Great Britain*, or in any of the navigable Rivers within *Great Britain*, and Apprentices, Mariners and Landmen employed in such Vessels, to a limited Number, according to the Tonnage of such Vessels, were protected from being impressed into the Naval Service of His Majesty, his Heirs and Successors; and the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the time being, or any Three or more of them, were thereby empowered to grant such Protections: And whereas it hath been found since the passing of the said Act that various Sorts of Fish retire in the Winter Season into deeper Water, and

and it has therefore become necessary, for the Supply of the Metropolis and other Parts of the Kingdom with such Fish at all Seasons of the Year, to build and use much larger Classes of Fishing Vessels, which cannot with Safety or Profit be navigated without a greater Number of Men and Boys than are allowed to be exempt from being impressed under the said Act: And whereas the encouraging the taking of Apprentices on such Voyages is highly beneficial, in establishing a Nursery for Seamen for His Majesty's Navy; and it is therefore expedient that the Provisions of the said Act, as to exempting Persons employed in the Vessels therein described, should be amended, and should, as to all Fishing Vessels, be extended to Fishing in the deep Seas beyond the Coasts, and to a greater Number of Apprentices: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, so much of the said recited Act as relates to the exempting the Persons employed in Vessels in the Fisheries from being impressed shall be and the same is hereby repealed; save and except as to any Protections from being impressed to which any Person may be entitled under the said Act, which shall remain in full force for their full Period as if the said Act had remained in full force.

II. And be it also enacted, That from and after the passing of this Act, every Person hereinafter specified who shall be employed in the Fisheries of these Kingdoms, shall be freed and exempted from being impressed into the Service of His Majesty, his Heirs or Successors, other than and except in the Cases hereinafter excepted, that is to say, First, every Master who shall have the Care or Conduct of any Fishing Vessel or Boat which shall be employed in the Fisheries of this Kingdom, and who or some Owner of which Fishing Vessel or Boat shall have or within Six Calendar Months before the applying for any Protection as hereinafter is allowed, shall have had One or more Apprentice or Apprentices under the Age of Sixteen Years, each bound to him or to any such Owner as aforesaid, for a Term not less than Five Years, and which Apprentice or Apprentices in pursuance of such binding actually shall be or have been in the Service of such Master or Owner in the Business of a Fisherman: Secondly, every such Apprentice, not exceeding the Number of Eight Apprentices to every Master or Owner as aforesaid of any Fishing Vessel of the Burthen of Fifty Tons and upwards, and not exceeding Seven Apprentices to every Master or Owner as aforesaid of every Fishing Vessel of the Burthen of Thirty five Tons and upwards, and under Fifty Tons, and not exceeding Six Apprentices to every such Master or Owner as aforesaid of any Fishing Vessel of or above the Burthen of Thirty Tons and under Thirty five Tons, and not exceeding the Number of Four Apprentices to every such Master or Owner as aforesaid of any Fishing Vessel or Boat under the said Burthen of Thirty Tons, during the time every such respective Apprentice as aforesaid shall continue as an Apprentice in the actual Service of such his Master only, or of his Representatives or Assigns, in the Business of a Fisherman, and in no other Service, and until the respective Age of Twenty Years of every such Apprentice who shall so long continue in

Masters and Apprentices and Mariners and Landmen, employed in Fishing Vessels limited in Number according to Tonnage, protected from being impressed.

in the Fishing Trade : Thirdly, One Mariner for every such Vessel or Boat of Ten Tons Burthen and upwards, besides the Master and his Apprentice or Apprentices as aforesaid, who shall be employed to navigate or fish in any Fishing Vessel or Boat of the Burthen of Ten Tons or upwards during the time such Mariner shall continue and be so actually and truly employed in the said Fishing Service ; and, Fourthly, any Landmen above the Age of Eighteen Years and under Thirty Years, who shall enter on board any such Fishing Vessel or Boat of the Burthen of Ten Tons or upwards, and be actually employed in navigating or fishing therein, for and during the Space of Two Years, to be computed from the time of his first going to Sea, employed as aforesaid in any such Fishing Vessel or Boat of the Burthen of Ten Tons or upwards as aforesaid, and to the End of any Fishing Voyage he may then be engaged in, and if he shall continue and be so long really and truly employed in such Service.

Affidavit to be made and sent to the Admiralty, describing Vessels, and Persons to be protected, and Protections to be granted.

III. And be it further enacted, That on an Affidavit sworn before some Justice or Justices of the Peace, that the Person or Persons named and described in such Affidavit is or are within some or one of the Descriptions hereinbefore specified, and inserting therein the Tonnage of every such Fishing Vessel or Boat, and the Port or Place to which she belongs, and the Name and Description of every such Master, and the Age of every such Apprentice, and the Term for which every such Apprentice shall be bound and the Date of his Indenture, and the Name, Age and Description of every such Mariner and Landman respectively, and the Time of every such Landman's first going to Sea, being offered to the Lord High Admiral of *Great Britain*, or to the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the time being, or any Three or more of them, or left at the Office of Admiralty, the said Lord High Admiral or Commissioners of the Admiralty for the time being is and are hereby directed and required, with all convenient Speed after every such Affidavit shall be tendered to him or them or left at the Admiralty Office (unless he or they shall have reasonable Cause to suspect the Truth of any such Affidavit, and in every such Case he and they is and are hereby directed to cause Enquiry to be made into the Truth of the Matters contained in every such Affidavit) from time to time to grant a separate Protection to every such Person as aforesaid respectively during the time he is allowed by this Act to be protected, and without any Fee or Reward to be paid or taken for the same ; and every Person who shall be impressed contrary to the Intent of this Act shall, on producing the Protection which shall have been granted to him in pursuance of this Act, to the Commanding Officer who shall have in his Custody or under his Care any such impressed Person as aforesaid, be forthwith discharged and released by such Commanding Officer.

Protected Persons impressed.

IV. And be it further enacted, That if during the Continuance of any Protection which shall be granted under this Act, any Person who shall be thereby protected shall be impressed to serve His Majesty, his Heirs or Successors (other than and except in the Case of an actual Invasion of these Kingdoms, or imminent Danger thereof) and signified by some Order of His Majesty, or his Heirs, or of his or their Privy Council, to the Lord High Admiral, or to the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the time being, and on producing the Protection which shall

shall have been so granted to him to the Commanding Officer of the Party or Gang who shall impress any such Person protected as aforesaid, or if offering to produce the same for the Inspection of such the Commanding Officer, any such Commanding Officer shall refuse or neglect to see or examine such Protection, or shall detain the same Protection from the Party entitled thereto, and shall not forthwith discharge the Party who shall be so impressed; or if the Party so impressed shall be carried on board any Ship or Vessel of or in the Service of His Majesty, his Heirs or Successors, and the Captain or any Officer who shall have the Command on board any such Ship or Vessel of or in the Service of His Majesty, his Heirs or Successors, shall not on any such Protection granted as aforesaid being produced or tendered to him, or if such Protection shall have been taken away from the Party to whom it was so granted, at or after his having been so impressed, then if on an Affidavit being made before some Justice or Justices of the Peace that such Protection was so granted and continues in Force and was taken away from the Party to whom the same was so granted, either at or after the time he was impressed, and being tendered to the Captain or Officer who shall have the Command on board any such Ship or Vessel as aforesaid, such Captain or Officer having the Command as aforesaid shall not forthwith discharge the Party who shall have been so impressed and brought on shipboard as aforesaid, or if any Captain or Officer having Command as aforesaid, or any of the Crew or Company under him, shall take away or detain any such Protection granted as aforesaid, then every Person who in any of the said Cases shall so offend, except in the Cases hereinbefore excepted, shall respectively forfeit and pay to the Party impressed, if not an Apprentice, and if an Apprentice, then to the respective Master of every such Apprentice, the Sum of Twenty Pounds, to be recovered and levied in like manner as other Forfeitures incurred by this Act are hereinafter directed to be recovered and levied. Captain, &c.
not discharging.

Penalty.

V. And be it further enacted, That in case any Seaman or Mariner after he shall have entered into any Agreement or taken any Earnest for the Performance of any Fishing Voyage or for any stipulated time of any Fishing Season, shall neglect or refuse to proceed on the intended Voyage or Voyages for which he shall have engaged or taken Earnest, every such Seaman or Mariner shall forfeit for every such Offence the Sum of Five Pounds, and it shall and may be lawful, upon Complaint made thereof to any of His Majesty's Justices of the Peace within their respective Jurisdictions by the Master or Owner or Owners, or any other Person having Charge or Command of the Vessel or Boat in which such Seaman or Mariner engaged to go, for such Justice, and he is hereby required to issue his Warrant to apprehend such Seaman or Mariner, and in case such Seaman or Mariner shall not pay such Penalty, or give sufficient Reason for such Refusal to the Satisfaction of such Justice, then to commit such Seaman or Mariner to the House of Correction, there to be kept to hard Labour for any time not exceeding Thirty Days, nor less than Fourteen Days. Seamen refusing
to fulfil Agree-
ment.

Penalty.

Punishment.

VI. And be it further enacted, That if any Master or Owner of any Ship, Vessel or Boat shall hire, entice, harbour, entertain or employ in any such Ship, Vessel or Boat, any Apprentice, Seaman or Landman, belonging to any Fishing Vessel or Boat, or who shall have engaged Hiring or en-
ticing Appren-
tices.

Penalty.

Justices to determine Differences.

Distress.

Proof on Oath.

Imprisonment.

Limitation of Prosecutions.

engaged to go on any Fishing Voyage, knowing that such Apprentice, Seaman or Landman does belong to such Fishing Vessel, or has engaged to go on a Fishing Voyage, or after Notice given thereof, every such Master or Owner as aforesaid, on being convicted of any such Offence, shall, for every such Offence, forfeit and pay the Sum of Twenty Pounds, to be levied, recovered and applied in manner hereinafter specified.

VII. And be it further enacted, That all Justices of the Peace within their respective Jurisdictions shall hear and determine all Offences committed against the true Intent of this Act, and that all pecuniary Penalties and Forfeitures inflicted and made payable by this Act, whereof the time of Payment is not hereinbefore directed, shall be paid within Twenty four Hours after the Conviction of the Offender, either by his or her Confession, or by the Oath of One or more credible Witnesses or Witnesses, which Oath every Justice within his respective Jurisdiction is hereby authorized and required to administer, and that any Justice or Justices within his or their respective Jurisdiction may issue a Warrant under his Hand and Seal or their Hands and Seals respectively, directed to any Peace Officer within their respective Jurisdiction, to levy the same by Distress of Goods and Chattels of the respective Person and Persons who shall be so convicted, and which shall be found within the respective Jurisdiction of any such Justice or Justices; and if within Five Days from any such Distress being taken the Money forfeited shall not be paid, together with the Costs of such Distress, the Goods so distrained shall be appraised and sold, rendering the Overplus (if any) after deducting the Penalty or Forfeiture, and the Costs and Charges of the Distress and Sale, to the Owner or Owners thereof, which Charges shall be ascertained by some Justice or Justices of the County, City, Riding, Division or Place in which the Offender or Offenders shall have been convicted, and if sufficient Distress cannot at any time be found whereby the Money which shall be forfeited by any Offender or Offenders against this Act can be levied on his, her or their Goods and Chattels, then, and in every such Case, upon Proof thereof upon Oath before some Justice or Justices within whose respective Jurisdiction any such Offender or Offenders shall reside or be, such Justice or Justices shall on the Application of any Prosecutor or Prosecutors of any such Offender or Offenders, issue a Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices, directed to some Peace Officer or Officers to apprehend every such Offender or Offenders, if he, she or they can be found, and to convey and commit every such Offender and Offenders to the House of Correction of the County, City or Place where any such Offender or Offenders shall be found and apprehended, there to remain and be kept to hard Labour for any time not exceeding One Month, as any such Justice or Justices shall order, unless the Money which shall be forfeited by such Offender or Offenders shall be sooner paid.

VIII. Provided always, and it is hereby enacted, That no Person shall suffer any Punishment for any Offence committed against this Act, unless the Prosecution for the same be commenced within Three Calendar Months after such Offence committed; and that where any Person shall suffer Imprisonment pursuant to this Act for any Offence contrary thereto, in default of Payment of any Penalty hereby imposed, such Person shall not be liable afterwards to pay such Penalty.

IX. And

IX. And be it further enacted, That if it shall be made out by the Oath of any credible Person or Persons to the Satisfaction of any Justice or Justices of the Peace, that any one within the Jurisdiction of any such Justice or Justices is likely to give or offer material Evidence on Behalf of the Prosecutor or any Offender or Offenders against the true Intent and Meaning of this Act, or on Behalf of the Person or Persons accused, and will not voluntarily appear before such Justice or Justices, and be examined and give his, her or their Evidence concerning the Premises, every such Justice or Justices is and are hereby authorized and required to issue his or their Summons, to convene every such Witness and Witnesses before any such Justice or Justices at such seasonable time as in such Summons shall be fixed; and if any Person so summoned shall neglect or refuse to appear at the time by such Summons appointed, and no just Cause shall be offered for such Neglect or Refusal, then after Proof by Oath of such Summons having been duly served upon the Party or Parties so summoned, every such Justice and Justices is and are hereby authorized and required to issue his or their Warrant under his Hand and Seal or their Hands and Seals, to bring every such Witness or Witnesses before any such Justice or Justices, and on the Appearance of any such Witness or Witnesses before any such Justice or Justices, every such Justice or Justices is and are hereby authorized and empowered to examine upon Oath every such Witness, and if any such Witness on his or her Appearance, or on being brought before such Justice or Justices shall refuse to be examined on Oath concerning the Premises, without offering any just Cause for such Refusal, any such Justice or Justices within the Limits of his or their Jurisdiction, may, by Warrant under his Hand and Seal or their Hands and Seals, commit any Person or Persons so refusing to be examined to the Publick Prison of the County, Riding, Division, City, Liberty or Place in which the Person or Persons so refusing to be examined shall be, there to remain for any time not exceeding Fourteen Days nor less than Three Days, as any such Justice or Justices shall direct.

Justices may
summon Wit-
nesses.

Refusing to
appear.

Warrant.

Refusing to be
examined.

Committal.

X. And be it also enacted, That in case any Person against whom a Warrant shall be issued by any Justice or Justices of the Peace for any Offence against this Act shall go into, reside or be in any other County, Riding, Division, City, Liberty, Town or Place out of the Jurisdiction of the Justice or Justices who shall have granted any such Warrant or Warrants as aforesaid, it shall and may be lawful for any Justice or Justices of the Peace of the County, Riding, Division, City, Liberty, Town or Place into which such Offender or Offenders against this Act shall go or be, to indorse his or their Name or Names on such Warrant, (Proof being first made on Oath of such Warrant having been signed by such other Justice or Justices) and every Warrant so indorsed shall be sufficient Authority to all Persons to execute such Warrant in such other County, Riding, Division, City, Liberty, Town or Place out of the Jurisdiction of the Justice or Justices who first granted such Warrant, and every such Justice and Justices respectively as the Case shall happen, after indorsing any such Warrant as aforesaid, may, on the Offender or Offenders therein named being apprehended and brought before any such Justice or Justices within his or their respective Jurisdictions, hear and determine the Matter of the Complaint contained in every such Warrant, in the same manner as if such Complaint had originally arose within the Jurisdiction of such

Offenders going
to reside in other
Counties.

Warrant
backed.

‘ Peace for by virtue of an Act passed in
 ‘ the Fiftieth Year of the Reign of His Majesty King George the
 ‘ Third, intituled, [*here insert the Title of this Act, specifying the*
 ‘ *Offence and the Time and Place when and where the same was com-*
 ‘ *mitted, as the Case shall be*] contrary to the said Act, [*or, as*
 ‘ *the Case shall be*] for which Offence, we [*or, I*] adjudge
 ‘ Given under our [*or, my*] Hands
 ‘ and Seals [*or, Hand and Seal*] the Day and Year first above
 ‘ written.’

XIV. Provided likewise, and be it also enacted, That no Order or Proceedings to be made or had by or before any Justice of the Peace in relation to the Premises shall be quashed or vacated for want of Form only, and that the Order which shall be made in the Premises by the Justices at their General or Quarter-Session of the Peace as aforesaid, shall be final, and that no Proceedings of any such Justice or Justices out of Session, or in their said General or Quarter-Session in pursuance of this Act, shall be removeable by *Certiorari*, Letters of Advocation, or of Suspension or otherwise.

Order or Proceedings not quashed for want of Form.

XV. And be it enacted, That if any Action or Suit shall be brought or commenced against any Person or Persons for any thing which shall be done in pursuance of this Act, every such Action or Suit shall be brought and commenced within the Space of Six Calendar Months next after any such Cause of Action shall have accrued, and not afterwards, and shall be brought, laid and tried in the County, City or Place in which the Cause of Action shall have arisen, and not elsewhere, and that the Defendant and Defendants in every such Action and Suit may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or if any such Action or Suit shall not be commenced within the time before limited, or shall be laid or brought in any other County, City or Place than where the Cause of Action shall have arisen, then, and in any of such Cases, the Jury shall find a Verdict for the Defendant or Defendants, and upon such Verdict, or if the Plaintiff or Plaintiffs in any such Action or Suit shall become nonsuit or discontinue his, her or their Action, after the Defendant or Defendants therein shall have appeared, or if, on any Demurrer, Judgment shall be given for the Defendant or Defendants, then, and in any of the said Cases, every such Defendant or Defendants shall have and recover Treble Costs and shall be entitled to pursue and take such Remedy for recovering of the same as any Defendant or Defendants hath or have to recover his or their Costs in other Cases by Law.

Limitation of Actions.

General Issue.

Treble Costs.

C A P. CIX.

An Act to continue, for Two Years and from thence until the End of the then next Session of Parliament, and amend an Act made in the Forty seventh Year of His present Majesty, for the preventing improper Persons from having Arms in Ireland.

[20th June 1810.]

‘ WHEREAS an Act was made in the Forty seventh Year of
 ‘ His present Majesty, intituled, *An Act to prevent improper*
 ‘ *Persons from having Arms in Ireland*, to continue in force from the
 50 Geo. III. A a ‘ passing

47 G. 3. Sess. 2.
c. 54.

‘ passing thereof for Two Years, and from thence until the End of
 ‘ the then next Session of Parliament: And whereas it is expedient
 ‘ that the said Act should be further continued and should be
 ‘ amended in manner hereinafter mentioned;’ Be it therefore enacted
 by the King’s Most Excellent Majesty, by and with the Advice and
 Consent of the Lords Spiritual and Temporal, and Commons, in this
 present Parliament assembled, and by the Authority of the same,
 That the said recited Act shall be and the same is hereby further
 continued, and shall be in force for Two Years from and after the
 passing of this Act, and from thence until the End of the then
 next Session of Parliament, except only so far as the said recited Act
 is repealed, altered or amended by this present Act.

continued.

Two Justices,
 on Suspicion
 that Arms are
 unlawfully in
 Possession of any
 Person, may
 report to Lord
 Lieutenant.

II. Provided always, and be it enacted, That whenever any Two
 Justices of the Peace in any County, County of a City or Town
 in *Ireland*, shall have any reasonable Grounds of Suspicion, that any
 Person or Persons within such County, or County of a City or Town,
 is or are unlawfully in possession of Arms; or that any Pikes, Pike
 Heads, Daggers or Dirks, are in any House or Place within such
 County, County of a City or Town, such Justices of Peace shall
 forthwith transmit to the Lord Lieutenant, or other Chief Governor
 or Governors of *Ireland* for the time being, or his or their Chief
 Secretary, a Report signed by such Two Justices, of such Suspicion,
 with the Grounds and Reasons of such Suspicion, and upon the Re-
 ceipt of such Report of such Two Justices, it shall and may be lawful
 for such Lord Lieutenant, or other Chief Governor or Governors of
Ireland for the time being, or his or their Chief Secretary for the
 time being, by Warrant under his or their Hand or Hands, to au-
 thorize and require such Justices or any other Justice to search or
 cause Search to be made within and throughout such County, County
 of a City or Town, or within any Parish, Barony or Half Barony
 within such County, County of a City or Town, as shall be specified
 in such Warrant, for any Arms, Pikes, Pike Heads, Daggers or
 Dirks, in manner directed by the said recited Act; and it shall not
 be lawful for any Justice of the Peace in any County, County of a
 City or Town in *Ireland*, to authorize or to join in authorizing any
 Person to make any Search, under the said recited Act, for any
 Arms, Pikes, Pike Heads, Daggers or Dirks, before or until such
 Warrant shall have been granted by the Lord Lieutenant or other
 Chief Governor or Governors of *Ireland* for the time being, or his
 or their Chief Secretary for that Purpose; any thing in the said re-
 cited Act to the contrary notwithstanding.

Warrant.

47 G. 3. Sess. 2.
 c. 54. § 8. 12.

III. And be it further enacted, That so much and such Parts of
 the said recited Act as enacts or enact that it shall be lawful for any
 Justice of the Peace when he shall have reasonable Ground of Suspi-
 cion to search for Arms, Pikes, Pike Heads, Daggers or Dirks in
 any House or Place in *Ireland*, shall be and the same is and are hereby
 repealed, and that from and after the passing of this Act it shall and
 may be lawful for any Two Justices of the Peace within their Juris-
 diction (upon Information given to such Justices on the Oath of
 One or more credible Witness or Witnesses, that to the best of his or
 their Knowledge and Belief, any Person is unlawfully in possession of
 Arms, or that any Pikes, Pike Heads, Daggers or Dirks are in any
 House or Place, but not otherwise) to search for Arms, Pikes,
 Pike Heads, Daggers or Dirks in the House or Premises of any
 Person,

Two Justices
 instead of One,
 as required by
 recited Act,
 may search for
 Arms, &c.

Person, or in any House or Place mentioned in such Information, in manner and under the Regulations in the said recited Act contained.

IV. And be it further enacted, That whenever any Person making Notification of his having Arms and obtaining a Licence as in the said Act is provided, shall have been once required under the said recited Act, by any Justice of the Peace within whose Jurisdiction such Person shall reside, to deliver to such Justice an Inventory of all Arms in his or her Possession, it shall not be lawful for the said Justice, or any other Justice within whose Jurisdiction such Person shall dwell, to make any further or other Requisition from time to time, nor shall such Person be compellable to deliver such Lists from time to time as often as he shall be required by any Justice under the said recited Act, any thing in the said recited Act to the contrary notwithstanding: Provided always, that it shall be lawful for the Justices of the Peace, or the Majority of them at any Session of the Peace, from time to time to require such List from any Person within their Jurisdiction having made such Notification and obtained such Licence as aforesaid, and such Person shall deliver such List from time to time accordingly, when and as often as such Person shall be so required by such Justices at any such Session.

Proviso for Persons having a Licence for using Arms.

C A P. CX.

An Act to allow, until the First Day of *August* One thousand eight hundred and eleven, the bringing of Coals, Culm and Cinders, to *London* and *Westminster*, by Inland Navigation.

[20th *June* 1810.]

‘ **W**HEREAS by an Act passed in the Thirty fourth Year of the Reign of His present Majesty, intituled, *An Act for making a navigable Canal from the River Kennett at or near the Town of Newbury, in the County of Berks, to the River Avon at or near the City of Bath, and also certain Navigable Cuts therein described*, Coals may be brought into the Port of *London* down the *Thames*: And whereas it is expedient in order to encourage and protect the Coasting Trade of this Realm and the Dues of the City of *London*, and His Majesty’s Revenue, arising from the Importation of Coals into the said Port, that Coals imported by Inland Navigation should be subject to the same Duties as are by Law payable upon the same when imported Coastwise:’ May it therefore please Your Majesty that it may be enacted; and be it enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *August* One thousand eight hundred and ten, it shall not be lawful for any Officer of the Customs to permit any Coals, Culm or Cinders to pass down the River *Thames* below the City’s Stone placed on the West Side of *Staines Bridge*, in the County of *Middlesex*, by Order of the Lord Mayor of *London*, towards the supplying of *London* or *Westminster*, or the Places adjacent, in any Boat, Barge or Vessel in which any other Goods, Wares or Merchandize shall be laden, nor until the Master or Person having Charge of the Boat, Barge or Vessel in which such Coals, Culm or Cinders shall be laden, shall produce and deliver to such

34 G. 3. c. 90.

Coals not to be brought below the City Stone in Barges in which other Goods are brought, or without Certificate of Quantity.

Boat, &c. seized.

False Certificates.

Penalty.

Coals landed above the Stone shall not be brought below.

Penalty.

Duties to be paid.

Officer as may be stationed at or near to the City's Stone aforesaid; by Order of the Commissioners of His Majesty's Customs in *England*, (who is hereby authorized and required to receive or demand the same) a Certificate expressing the real Quantity of Coals, Culm or Cinders in such Boat, Barge or Vessel; which Certificate every Person selling or loading any Coals, Culm or Cinders towards the Supply of *London* and *Westminster*, or the Places adjacent, is hereby required to give to such Master or other Person having the Charge of such Boat, Barge or Vessel, who is hereby required to deliver the same to the said Officer of the Customs, who shall sign and enter and register the same in a Book to be kept for him for that Purpose; and the said Entry and Register of the Certificate shall be accepted and admitted as and taken to be full and complete Evidence in all Cases in which the original Certificate is not produced; and in case there shall be in such Boat, Barge or Vessel any greater Quantity of Coals than shall be expressed in such Certificate, or any other Goods, Wares or Merchandize laden on board, then, and in such Case, the Coals, Culm or Cinders on board of such Boat, Barge or Vessel shall be forfeited, and may and shall be seized by any Officer of the Customs, who is hereby authorized and empowered to detain such Boat, Barge or Vessel for that Purpose; any Law, Custom or Usage to the contrary notwithstanding.

II. And be it further enacted, That if any Person or Persons sending any such Coals, Culm or Cinders for Sale towards the Supply of the Cities of *London* or *Westminster*, and Places adjacent, shall knowingly give any false Certificate or Certificates of the Quantity or Quantities of Coals on board of any Barge or Vessel, every such Person shall, for every such Offence, forfeit the Sum of Fifty Pounds.

III. And be it further enacted, That no such Coals, Culm or Cinders having been brought down the *Thames* and landed above the said Stone near *Staines Bridge*, shall, upon any Pretence whatever, be laden on board any Boat, Barge or Vessel upon any Part of the River *Thames* between the said Stone and *London Bridge*, and if any such Coals, Culm or Cinders shall be so laden on board any such Boat, Barge or Vessel contrary to the Directions of this Act, the Person or Persons by whom or on whose Account the same shall be so laden, shall, for every such Offence, forfeit the Sum of Five Pounds for every Ton Weight of such Coals, Culm or Cinders, and so in proportion for any less Quantity; and such Coals, Culm or Cinders shall be forfeited, and may and shall be seized by any Officer of the Customs, who is hereby authorized and empowered to detain such Boat, Barge or Vessel for that Purpose.

IV. And be it further enacted, That there shall be raised, levied and collected, and paid on all such Coals, Culm or Cinders brought down the River *Thames* in manner aforesaid nearer to *London* than the City's Stone described as aforesaid, the Rate and Duty of Customs following; that is to say, the Sum of Ten Shillings for and upon each and every Ton of Coals, Culm and Cinders so brought; and there shall be raised, levied and collected for every Ton of such Coals, Culm or Cinders, a further Duty of One Shilling and Three pence, which last mentioned Duty shall at the End of every Quarter be paid by the Officer of the Customs who shall be so stationed at or near the said City Stone as aforesaid, to any Person or Persons to

to be appointed by the Lord Mayor, Aldermen and Commons of the City of *London* to receive the same; or if no such Person shall be appointed, into the Chamber of the City of *London*, as and for and in lieu of the Duty called Orphans Duty, and all other Rates, Dues and Duties which are payable to the Corporation of *London* upon Coals, Culm or Cinders imported into the Port of *London*; and all such several and respective Duties shall be demandable and demanded and shall be payable and paid to the proper Officer to be appointed by the Commissioners of the Customs in *England* to receive the same and stationed as aforesaid, according to the full Quantity and Weight of Coals; such Weight and Quantity as aforesaid to be ascertained in such manner as the said Commissioners of Customs shall direct, in case it shall appear necessary to the said Commissioners to direct the ascertaining the same in any other or different manner than is now used or authorized or required by any Act or Acts in relation to any Coals carried Coastwise or brought into the Port of *London*.

V. And be it further enacted, That any Coals, Culm or Cinders on which the Duty imposed by this Act has been fully paid, may be brought into and landed in any Part of *London* and *Westminster* or the Places adjacent, or in any Place on the River *Thames* nearer to *London* than the City's Stone aforesaid: Provided that such Coals, Culm or Cinders so removed or brought shall be accompanied with a Certificate of the Payment of the Duty, which Certificate shall be granted by such Officer of the Customs as the Commissioners of the Customs shall direct; any Law, Custom or Usage to the contrary notwithstanding.

Coals having
paid Duty may
be landed.

VI. And be it further enacted, That the several Rates and Duties by this Act granted shall be under the Management of the Commissioners of the Customs in *England* for the time being, and it shall be lawful for the said Commissioners and they are hereby authorized to appoint proper Officers to ascertain, raise, levy, collect and account for the said Duties; and it shall also be lawful for the said Commissioners of Customs to cause any Building or Buildings to be erected which may be necessary for the Accommodation of the said Officers, and for the weighing or otherwise ascertaining the Quantities and Weights of any such Coals, Culm or Cinders, and for the safe Keeping and Custody of any Coals that may be seized under or by any Officer of Customs, as to them or any Four or more of them may seem necessary for the carrying this Act into Execution, and ascertaining and levying and collecting the said Duties.

Duties under
Commissioners
of Customs.

VII. And be it further enacted, That the Duties of Customs granted by this Act may and shall respectively be ascertained, managed, raised, levied, collected, answered, paid, recovered and allowed, (except where any Alteration is expressly made by this Act) in such and the like manner and by the same Means, Ways or Methods as former Duties of Customs, and also by any such special Means, Ways or Methods respectively, as former Duties of Customs on Coals, Culm or Cinders burnt from Coals or Culm were or might be ascertained, managed, raised, levied, collected, answered, paid, recovered and allowed; and all Coals, Culm or Cinders burnt from Coals or Culm made subject to Payment of Duties under this Act, and all Coals, Culm or Cinders burnt from Coals or Culm which may be brought down or upon the said River *Thames* nearer to *London* than the Place by this Act specified, or contrary to the Provisions of this Act or of

Duties collected
as former Duties.

any other Act or Acts of Parliament, shall be and the same are respectively hereby made subject and liable to all and every the special Conditions, Rules, Regulations, Restrictions, Seizures, Sales and Forfeitures respectively, to which Coals, Culm or Cinders burnt from Coals or Culm were subject and liable by any Act or Acts of Parliament in force on and immediately before the said First Day of *August* One thousand eight hundred and ten, respecting the Revenue of Customs, as far as the same are or can be made applicable, and except where any Alteration is expressly made by this Act; and all Pains, Penalties, Fines and Forfeitures of whatever Nature or Kind the same may be, as well Pains of Death as others, for any Offence whatever committed against or in Breach of any Act or Acts of Parliament in force on and immediately before the said First Day of *August* One thousand eight hundred and ten made for securing the Revenue of Customs or for the Regulation or Improvement thereof; and the several Clauses, Powers, Provisions and Directions contained in any such Act or Acts, shall (unless where expressly altered by this Act) and are hereby directed and declared to extend to and shall be respectively applied, practised and put in Execution for and in respect of the several Duties of Customs hereby charged and allowed, in as full and ample a manner to all Intents and Purposes whatsoever as if all and every the said Acts, Clauses, Provisions, Powers, Directions, Fines, Pains, Penalties or Forfeitures were particularly repeated and re-enacted in the Body of this Act, and made Part thereof.

Former Acts
in force.

VIII. And be it further enacted, That every Act of Parliament in force on and immediately before the said First Day of *August* One thousand eight hundred and ten, by which any Rules, Regulations, Conditions or Restrictions were made, established or directed, for the ascertaining the Weight or Quantity, or the Amount of any Duties on any Weight or Quantity of Coals, Culm or Cinders, burnt from Coals or Culm, or for the better securing the Revenue of Customs, (except where any Alteration is expressly made by this Act) and all Provisions, Clauses, Matters and Things relating thereto, shall and are hereby declared to be and remain in full Force and Effect, and shall be applied to the Subject of this Act, and for carrying the same into Execution, as fully and effectually as if they had been repeated and re-enacted in this Act.

Coals paying
Coast Duty
exempted.

IX. And whereas it is expedient that Coals which shall have once paid the Coast Duty should be exempted from the Duty of Customs imposed by this Act; Be it therefore enacted, That the Officer or Officers of the Customs who shall have received such Coast Duty, shall give a Certificate, without Fee or Reward, to the Person who shall pay the same, and on such Certificate being produced to the Officer of the Customs authorized to receive the Duty of Customs imposed by this Act, and on full and satisfactory Evidence that the Coals brought down the said River *Thames* to the said City Stone, are the same Coals or Parcel of the same Coals mentioned in the said Certificate, he the said last mentioned Officer of the Customs shall not demand or receive the Duty of Customs imposed by this Act.

Corporation of
London to ap-
point Officers.

X. And be it further enacted, That it shall be lawful for the Lord Mayor, Aldermen and Commons of the City of *London*, in Common Council assembled, and they are hereby empowered from time to time as Occasion shall require, to appoint any Officer or Officers, or other Person

Person or Persons who shall have full Power, and they and each of them are hereby authorized (either in Company with the Officers of His Majesty's Customs or without) to enter into any Boat, Barge or other Vessel laden with Coals, Culm or Cinders, passing on or about to pass nearer to *London* than the Boundary Stone aforesaid; and that every Officer or Officers, or other Person or Persons to be appointed by the said Mayor, Aldermen and Commons as aforesaid, shall and lawfully may have and exercise all and every or any the Powers and several ways and means of ascertaining the Weights and Quantities of all such Coals, Culm and Cinders, as any Officer or Officers of His Majesty's Customs have or lawfully may exercise or perform under or by virtue of this Act, as to any Coals, Culm or Cinders passing or about to pass nearer to *London* than the Boundary Stone aforesaid.

XI. And be it further enacted, That if any Person or Persons whatsoever shall assault, oppose, molest, hinder or obstruct any such Officer or Officers, or other Person or Persons to be appointed by the said Mayor, Aldermen and Commons as aforesaid, in the due Execution of any of the Powers or Authorities given or granted to such Officer or Officers, or other Person or Persons as aforesaid by this Act, every Person or Persons so offending shall be deemed guilty of a Misdemeanor, and shall be subject and liable to the like Pains, Punishments and Penalties, as by Law may be inflicted in Cases of Misdemeanor by the Court before whom such Offender or Offenders shall be convicted.

Obstructing
Officers.

Penalty.

XII. And be it further enacted, That if any Action or Suit shall be brought or commenced against any Person or Persons for any thing done in pursuance of this Act, such Action or Suit shall be commenced within Three Calendar Months next after the Fact committed and not afterwards, and shall be laid in the County or Place where the Cause of Complaint did arise, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon; and if the Jury shall find for the Defendant or Defendants in any such Action or Suit, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her or their Action or Suit, after the Defendant or Defendants shall have appeared, or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs and have the like Remedy for the same as any Defendant hath in other Cases to recover Costs by Law.

Limitation of
Actions.

General Issue.

Treble Costs.

XIII. And be it further enacted, That the Duties of Customs by this Act imposed on Coals, Culm and Cinders, shall be appropriated and applied in such and the like manner as the Duties on such Articles, when brought Coastwise into the Port of *London* and chargeable according to the Weight thereof, are appropriated and applied by virtue of an Act passed in the Forty ninth Year of His present Majesty's Reign, intituled, *An Act for repealing the several Duties of Customs chargeable in Great Britain, and for granting other Duties in lieu thereof.*

Appropriation of
Duties.

49 G. 3. c. 98.

XIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to alter or repeal any of the Provisions contained in an Act passed in the Forty fifth Year of His present Majesty's Reign, intituled, *An Act*

Proviso for
45 G. 3. c. 128.

for allowing under certain Restrictions, until the First Day of August One thousand eight hundred and six, the bringing a limited Quantity of Coals, Culm or Cinders to London and Westminster by Inland Navigation; and which was by several Acts continued until the First Day of August One thousand eight hundred and eleven.

Continuance of
Act.

XV. And be it further enacted, That this Act shall continue in force until the First Day of *August* One thousand eight hundred and eleven, and no longer.

C A P. CXI.

An Act to limit the Amount of Pensions to be granted out of the Civil List of *Scotland*. [20th *June* 1810.]

Pension List of
Scotland limited.

WHEREAS it is expedient that Provision should be made for the better Regulation of the granting of Pensions out of the Civil List in *Scotland*, and for preventing of Abuse and Excess therein; Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, no Pension exceeding the Sum of Three hundred Pounds a Year shall be granted out of the Civil List of *Scotland* to or for the Use of any one Person, and that the whole Amount of Pensions granted from such List in any one Year shall not exceed Eight hundred Pounds; a List of which, together with the Names of the Persons to whom the same are granted, shall be laid before Parliament in Twenty one Days after the Beginning of each Session until the whole Pension List of *Scotland* shall be reduced to Twenty five thousand Pounds, which Sum it shall not be lawful to exceed in the Whole of all the Grants, nor shall any Pension to be granted after the said Reduction to or for the Use of any one Person exceed the Sum of Six hundred Pounds, except to One of the Royal Family, or on an Address of either House of Parliament.

How Surplus of
Civil List of *Scot-*
land applied.

II. And be it further enacted, That all Sums of Money which shall remain after Payment of all such Pensions and Grants and other Charges as are or shall hereafter be charged upon or granted or payable out of the Civil List of *Scotland*, and after defraying any Charges incident thereunto, shall from time to time as the same shall arise, and any such Surplusses or Balances shall remain of the Fund applicable to the Civil List of *Scotland*, go to the Use and be applied in Aid of the Civil List of *England*.

His Majesty may
make other
Grants.

III. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to prevent His Majesty from making any such Grants (other than and except Pensions) for Civil Purposes in *Scotland*, out of the Monies applied to the Payment of the Civil List of *Scotland*, as His Majesty has heretofore been accustomed, and authorized and empowered to make before the passing of this Act.

C A P. CXII.

An Act for abridging the Form of extracting Decrees of the Court of Session in *Scotland*, and for the Regulation of certain Parts of the Proceedings of that Court.

[20th June 1810.]

‘ **W**HEREAS an Act was passed in the Forty eighth Year of the Reign of His present Majesty, intituled, *An Act concerning the Administration of Justice in Scotland, and concerning Appeals to the House of Lords*, by which Act His Majesty was empowered to name and appoint, and pursuant to which His Majesty did name and appoint, by His Majesty’s Royal Sign Manual, certain Persons to make Enquiries into the Form of Process in the Court of Session, and to report upon various Matters therein particularly set forth : And whereas an Act was passed in the last Session of Parliament, intituled, *An Act to give to the Persons named by His Majesty, pursuant to the said recited Act, further Time for making their Report or Reports* : And whereas the Commissioners so appointed have made two Reports to His Majesty and the Two Houses of Parliament relative to the Subject Matter upon which they were directed to report : And whereas it is expedient that the Mode of extracting Judicial Acts and Decrees of the Court of Session hitherto in Use should be altered, and a more abridged Form adopted, and that other Regulations should be established, and Amendments made in the Forms of that Court ; which cannot be effected without the Authority of Parliament : May it therefore please Your Majesty that it may be enacted ; and be it enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the present Mode of extracting Judicial Acts and Decrees shall, from and after the passing of this Act, cease and determine, together with all the Fees and Dues exigible for such Extracts, or relating thereto : Provided nevertheless, that the Fees now payable to the Lord Chief Clerk Register, and to the Macers of the Court of Session, and to the Keeper of the Minute Books upon Acts and Decrees, and to the Housekeepers upon Abbreviates of Adjudication, shall continue to be paid and payable upon the abridged Forms of Extract prescribed by this Act.

48 G. 3. c. 151.

49 G. 3. c. 119.

Extracts of Decrees at present in Use abolished.

Certain Fees on abridged Forms of Extract continued.

II. And be it enacted, That the Forms herein prescribed for the Extract of Judicial Acts and Decrees, and the Rules and Regulations made relative thereto, shall, from and after the passing of this Act, be observed in all cases, whether of Actions and Processes at present or then depending, or which may in future come into Court, or those which, although finished, have not been taken out of Court by a final extracted Decree ; and the Fees and Dues hereby made payable in the case of Extracts, and no other, shall, from and after the passing of this Act, be the Fees and Due payables for such Extracts.

Forms of Extracts to be observed.

III. And be it enacted, That in Actions for Payment or Performance or such other common Proceedings, and in Processes of Advocation or Suspension, the Extract of the Decree shall from and after the passing of this Act be in the Form appearing from Schedules (A.) (B.) (C.) (D.) and (E.) hereunto annexed respectively.

Forms of Extract in common Actions, &c.

IV. And

Form of Extract
in Adjudications.

IV. And be it enacted, That in Processes of Adjudication, the Extract of the Decree shall, from and after the passing of this Act, be in the Form which has heretofore been used for the Abbreviate of the Adjudication in case a Decree shall be pronounced for the Adjudger; but where the Defender is assolized, the Extract shall be in the Form hereinbefore directed to be used in the Case of Decrees of Absolvitor.

Form of Extract
in *Cessio Bonorum*.

V. And be it enacted, That in Actions of *Cessio Bonorum*, the Extract of the Decree shall be in the Form at present used for the Abstract in Decrees of *Cessio*, with an Addition thereto of the Names of all the Creditors cited.

Form of Extract
in Actions of
proving Tenor.

VI. And be it enacted, That in Actions of proving the Tenor and Transumpt, the Extract shall contain a Copy of the Deed proved or transumed, with the Judgments pronounced by the Court, reduced into the Form of what is at present termed the Grand Decerniture, in Cases where Decree shall be pronounced in favour of the Pursuer; and in Cases where the Defender shall be assolized, the Extract shall be in the Form hereinbefore prescribed in Decrees of Absolvitor.

Form of Extract
in Actions of
Declarator,

VII. And be it enacted, That in Actions of Declarator, the Extract of the Decree shall contain the Conclusion of the Summons and the Judgments pronounced by the Court, reduced into the Form of the present Grand Decerniture.

Form of Extract
in Actions of
Ranking.

VIII. And be it enacted, That in Actions of Ranking and Sale, the following Regulations shall be observed: First, the Extract of the Act and Commission for proving the Value of the Subject to be sold shall be in the Form appearing from Schedule (F.) hereunto annexed; Secondly, the Extract of the Decree of Sale shall be in the Form appearing from Schedule (G.) hereunto annexed; Thirdly, the Extract of the Decree of Ranking shall be in the Form appearing from Schedule (H.) hereunto annexed; Fourthly, the Extract of the Decrees of Division shall be in the Form appearing from Schedule (I.) hereunto annexed; Fifthly, there shall no longer be any Extract of the Decree of Certification, in a Process of Ranking and Sale, nor any Act of Roup pronounced, nor consequently any Extract thereof, the Letters of Publication now in use rendering such Acts unnecessary, but the Extract of Letters of Publication shall be continued in their present Form.

No pronouncing
Acts in certain
Actions.

IX. And be it enacted, That in Actions of proving the Tenor and of Reduction, no Act shall henceforth be pronounced; and in Actions of Improbation, Acts for First and Second Terms shall be discontinued.

Proviso for cer-
tain Form of
Extract.

X. And be it enacted, That in all other Cases not herein particularly described, whether arising upon Summons, Bill or Petition, or Petition and Complaint, the Extract of the Decree shall be according to the Forms herein set forth, with such Variations as the Nature of the Case and the Form of the Application may necessarily require.

Certified Copies
in cases of Ap-
peal.

XI. And be it enacted, That where an Appeal shall be taken to the House of Lords, a full Copy of the printed Papers given into the Court of Session, certified by One of the principal Clerks of Session, together with Copies so certified of such Interlocutors and Minutes of the Court as shall have been pronounced or framed subsequent to the Date of the last of these printed Papers, shall and may

may be received in Evidence in such and the like manner as Extracts of the whole Proceedings are at present.

XII. And be it enacted, That no Record Copy, as it is termed, shall henceforth be made; but at the Expiration of Five Years after the Date of the final Decree or last Proceeding in that Court, each Process with all the Steps of Proceeding in it, and Productions, not taken up by the Parties, shall be transmitted to and lodged in the General Register House, under the Custody of the Lord Clerk Register of *Scotland*, and Duplicate shall be made of all Extracts of Decrees in the Form herein prescribed, for which no Fees shall be exigible, except the ordinary Charge for copying paid for copying at the time in the Court of Session; which Duplicates shall from time to time be bound up in convenient Volumes, and after remaining not more than Five Years after the Date of the final Decree in the Office of the Clerk wherein such Duplicates shall have been made, shall at the Expiration of that Period be regularly transmitted to the said General Register House.

No Record Copy to be made. Proceedings transmitted to General Register House.

XIII. And be it enacted, That the Offices of Extractors in the Court of Session, as heretofore constituted, shall be abolished, and the Six Assistants of the principal Clerks of Session shall prepare the abridged Forms of Extract herein directed to be observed; each Assistant executing that Duty in such Processes as belong to the Department or Closet of the principal Clerk, under whom he acts, or the corresponding Depute Clerk in the Outer House.

Office of Extractor abolished.

XIV. Provided always, and be it enacted, That it shall and may be lawful for any Party to require, and the said Assistants respectively are hereby required to furnish to such Party, authenticated Copies of all or any Part of the Proceedings in any Cause, signed by One of the principal Clerks of Session, and which Copy the principal Clerks of Session are hereby respectively required to sign, but no Fee whatever shall be paid or payable for such Copy, (save and except the ordinary Charge for copying, paid at the time in the Court of Session).

Authenticated Copy of Proceedings to Party requiring.

XV. And be it enacted, That each of the present Assistants of the principal Clerks who are directed to prepare the abridged Forms of Extract hereby prescribed, shall continue to exercise and enjoy the Office of Extractor, hereby conferred upon him, *ad vitam aut culpam*: Provided always, that every other Person to be appointed a Clerk Assistant and thereby an Extractor of such abridged Forms shall be and continue in respect of his Office of Extractor in such and the same Situation as any Clerk Assistant is at present in respect of such Office of Clerk Assistant.

Assistants of principal Clerks to prepare abridged Form of Extracts.

XVI. And be it enacted, That the said Assistants of the Clerks shall and may continue to receive the Fees to which as such Assistants they are at present or may in future be entitled; but in their Character of Extractors, according to the new Forms hereby established, they shall be entitled to no Fee whatever except the ordinary Charge for copying paid for copying at the time in the Court of Session; neither shall the principal Clerks or the Depute Clerks of Session be entitled to any Fees whatever; but declaring that the said Clerks and the said Assistants of the Principal Clerks, in their Character of Extractors, shall be paid the following Salaries, *videlicet*; each Principal Clerk of Session shall receive a Salary of One thousand Pounds Sterling *per Annum*, without Prejudice to the Salary of Forty Pounds payable to the

Fees of Clerks Assistants to be continued. Fees for Extracts.

the King's Clerk, and without Prejudice also to the Fees to which any of them may be entitled in case he shall hold the Office or Situation of Keeper of the Register of Tailles; each Depute Clerk of Session shall receive a Salary of Four hundred Pounds Sterling *per Annum*, without Prejudice to the Salary of Ten Pounds, payable to the King's Depute Clerk; each Assistant of the principal Clerk shall receive a Salary of Two hundred Pounds Sterling *per Annum*, for preparing the abridged Forms of Extract herein prescribed without Prejudice to the Salary of Ten Pounds *per Annum*, to the present King's Extractor during his Life.

Clerks of Session and Depute Clerks, &c. to receive Salaries.

Salaries paid Quarterly out of Fee Fund.

7 Ann. c. 11.

§ 10.

10 Ann. c. 26.

§ 108.

XVII. And be it enacted, That the Salaries hereinbefore provided, shall, from and after the passing of this Act, be payable quarterly out of the Fee Fund hereby established, and if such Fund shall at any time be insufficient for the Payment of such Salaries, the Deficiencies shall be supplied in the same manner with the Salaries payable to the Judges of the Court of Sessions out of the Monies which by several Acts made in the Seventh and Tenth Years of the Reign of Queen Anne, were charged or made chargeable with the Fees, Salaries and other Charges allowed or to be allowed by Her Majesty, her Heirs or Successors, for keeping up the Courts of Session, Justiciary and Exchequer in Scotland.

Dues of Court to form Fee Fund.

XVIII. And be it further enacted, That for the Purpose of raising such Fee Fund, the Fees specified in the Schedule hereunto annexed, intituled, "Dues of Court," shall be payable and exigible upon and for the several Matters therein contained.

Expence of Office Rooms paid out of Fee Fund.

XIX. And be it enacted, That the Sum of Two hundred Pounds Sterling *per Annum* shall be paid out of such Fee Fund to the Order of the Principal Clerks of Session, for defraying the Expence of the Office Rooms of the whole Principal and Depute Clerks of Session, and all other Charges and Expences connected therewith; and the said Principal Clerks shall be bound and obliged to keep up and defray the Expences of such Office Rooms, and to defray all such other Charges and Expences accordingly.

Dues of Court abolished, Dues in Schedules to be taken.

XX. And be it enacted, That the Dues of Court at present payable to the Clerks of Session and the present Office of Collector of the Clerks Dues, shall be and the same are hereby abolished and the Dues mentioned in the said Schedule shall be collected by a Collector appointed by the Lord President of the College of Justice, holding his Office *ad vitam aut culpam*, who shall discharge his Duty by personal Attendance in Court or in the Collector's Office during Office Hours, and by marking upon each Paper that the proper Dues or Fees had been received of the Date marked, without which marking no Principal Clerk or Depute Clerk of Sessions, Lords Clerk or Clerks Assistant shall receive any such Paper into Process; and such Collector shall further demand and receive Once a Month or oftener from the Keepers of the Registers respectively, who shall be bound to pay to him the proportion which the Clerks of Session have been in Use to receive of Fees paid upon Registration and upon Extracts of Deeds and Instruments recorded in the Books of Council and Session; and all such Fees shall form Part of the Fee Fund hereby established.

Fees on Registration, &c.

XXI. Provided always, and be it enacted, That such Fees paid upon Registration, and upon Extracts of Deeds and Instruments so recorded in the Books of Council and Session, shall remain in other respects as at present.

XXII Provided

XXII. Provided always, and be it hereby enacted, That such Collector shall be responsible for every Person whom he may have occasion to empower to act for him in his Absence, and for every Clerk and Person employed by him in the Business of such Collection, and shall find Security for their as well as his own Intromissions.

Collector of Dues
to find Security.

XXIII. And be it enacted, That such Collector shall further keep regular and distinct Books for entering the Fees and Dues of Court separately of the Dates on which they are received, with the Mark of the Clerk's Office, Names of the Parties, and the Step of the Proceedings upon which the same is paid, which Books shall be open at all reasonable times for the Inspection of the Judges, the Auditor of the Court, and the Principal Clerks of Session; and such Collector shall at least Once in every Week lodge all Monies so paid to him with the Bank of *Scotland*, or the Royal Bank of *Scotland*, the Interest received from which Banks respectively shall make Part of the Fee Fund hereby established, out of which such Collector shall pay the Salaries herein directed to be paid by means of such Fees and Dues; and if upon the Thirty first Day of *December* in any Year any Balance shall remain upon such Account, such Balance shall be paid to the Person or Persons authorized to receive the said Monies which by the said Acts made in the Seventh and Tenth Years of the Reign of Queen *Anne* were charged or made chargeable with the Fees, Salaries, and other Charges allowed or to be allowed for keeping up the Courts of Session, Justiciary and Exchequer in *Scotland* as aforesaid.

Collector to keep
Books for Fees:

Money to be
paid Weekly into
the Bank.

How Balance
disposed of.

XXIV. And, in order to check the Accounts kept by such Collector, be it enacted, That Books shall be kept by the respective Clerks of Court of each Office, shewing the Dues of Court which, according to the Schedule hereunto annexed, have or should have been received in each Process under their Charge on the several Steps of that Process on which such Dues are payable; and such Collector shall render his Accounts at least Twice in every Year to any Accountant to be named by the President of the College of Justice; or if no such Accountant shall be named, to the Auditor of Court, who shall compare and examine the same with the Books so kept by the Clerks aforesaid, and make his Report thereupon to the Court.

Cheque Books
kept.

XXV. And be it enacted, That such Collector shall receive a Remuneration for his Trouble by a Rate payable out of the said Dues of Four Pounds *per Centum* upon the Amount thereof received by him.

Per Centage to
Collector.

XXVI. And be it enacted, That the Nomination of each Depute Clerk of Session shall henceforth be vested in the Six Principal Clerks of Session jointly, the Senior Clerk, having in case of Equality a casting Voice; and every such Nomination shall be made without receiving therefor any Price, Gratuity or valuable Consideration of any Kind; and every Nomination, when made, shall be forthwith reported to the Court.

Nomination of
Depute Clerks.

XXVII. And be it enacted, That in Actions at present requiring Two Diets of Appearance, there shall be only One Diet of Appearance upon an *Inducie* of Twenty seven Days, where a Defender is domiciled in *Scotland*; but Citations in cases of a single Diet and against Persons forth of *Scotland* shall remain as at present.

One Diet of
Appearance only.

XXVIII. And be it enacted, That all Causes not exceeding the Value of Twenty five Pounds Sterling, shall from and after the passing of

Certain Causes
brought before
inferior Judges.

of this Act be carried on in the first Instance before the inferior Judges, in the manner directed, and with the Exceptions specified in an Act, passed in the Third Session of the Second Parliament of His Majesty King *Charles* the Second, intituled, *Act concerning the Regulation of the Judicatories*.

Permanent
Lords Ordinary
appointed,

XXIX. And whereas it would facilitate the Dispatch of Business in the Court of Session, if the Duty of the Outer House were done by a certain Number of the Ordinary Judges officiating there, in a more permanent manner than the present weekly Rotation among the whole; Be it enacted, That the Three Junior Ordinary Judges of the First Division of the Court of Session, and the Two Junior Ordinary Judges of the Second Division, shall be relieved from Attendance in the Inner House, and shall from and after the passing of this Act not sit therein, but shall sit as Lords Ordinary in the Outer House to perform the Business of the Outer House; that is to say, Two of the said Judges, One of each Division, shall officiate each Week in the Outer House, for hearing Causes in the Rolls of Suspensions, Advocations, Regulations and ordinary Actions; and such Junior Judges of either Division shall officiate as Lords Ordinary, according to the Rules and Forms of proceeding for the time observed in Processes depending before Lords Ordinary.

to administer
Oaths and ex-
amine Witnesses.

XXX. And be it enacted, That this Regulation concerning Ordinary Judges in the Outer House shall include the Duty of administering Oaths and examining Witnesses, but shall not extend to the Bill Chamber, in which the Business shall continue to be done as at present, by all the ordinary Judges in Rotation.

Consent of
Judges necessary
to new Regula-
tion.

XXXI. Provided always, and it is hereby provided and declared, That the present Junior Judges who may be affected by this new Regulation, shall not be bound by it except with their own Consent, and therefore the Course of Rotation shall remain as it is at present, until either by the Consent of the present Judges, or by new Appointments of Judges, the requisite Number can be obtained for carrying the said System into Execution.

Quorum of Inner
House.

XXXII. And be it enacted, That so soon as Five Junior Ordinary Judges shall officiate as permanent Lords Ordinary in the manner herein directed, Three Judges in either Division shall be a *Quorum* in the Inner House; and the other Judges of the Court of Session shall be relieved from Attendance in the Outer House, and from performing the Duties of Lords Ordinary therein.

Grounds of Ad-
vocation from the
Commissary
Court.

XXXIII. And be it enacted, That Bills of Advocation from Interlocutory Judgments of the Commissary Court shall be allowed only on the Ground of Contingency and Incompetency, including Incompetency in the Mode of Proof, and in this last case only with Leave of the Commissary Court; and no Bills of Advocation from the Commissary Court shall be allowed from Interlocutory Judgments upon Grounds of Iniquity or Error, but shall be competent only after final Judgment before extract.

Bills of Suspen-
sion from the
Admiralty Court
in Maritime
Causes;

XXXIV. And be it enacted, That Bills of Suspension from the Admiralty Court in Maritime Causes, shall, if not refused without Answers, be in all Cases ordered to be printed and reported to either the First or the Second Division of the Court of Session; and if any such Bill of Suspension shall be presented in time of Vacation, and the Lord Ordinary on the Bills shall not see Cause to refuse the same without Answers, he shall sist proceeding until the Meeting of

of the Court, to whom the same, with the Answers, shall be then reported.

XXXV. And be it enacted, That Bills of Advocation and Suspension from the Admiralty Court in Mercantile Causes shall be regulated in the manner hereinafter prescribed in the case of Advocations and Suspensions from the Judgments pronounced by Sheriffs and other inferior Judges. regulated.

XXXVI. And be it enacted, That Bills of Advocation from the Sheriffs and other inferior Judges in *Scotland*, against Interlocutory Judgments, shall be allowed only upon the following Grounds; First, of Incompetency, including Defect of Jurisdiction, personal Objection to the Judge, and Privilege of Party; Secondly, of Contingency; Thirdly, of legal Objection with respect to the Mode of Proof, or with respect to some Change of Possession, or to an *Interim* Decree for a partial Payment, provided that in the Cases specified under this Third Head, Leave is given by the inferior Judge. In what Cases Bills of Advocation from Sheriffs, &c. allowed.

XXXVII. And be it enacted, That Bills of Advocation from such inferior Judges shall not in any Case be received against Interlocutory Judgments upon Grounds of Iniquity or Error, but only after final Judgment shall have been pronounced. In what Case not received.

XXXVIII. And be it enacted, That in Cases where final Judgment shall have been pronounced, no written Answer to a Bill of Advocation or Suspension from such inferior Judges shall be received, but in all such Cases, whether the Cause is brought before the Court of Session by Advocation or Suspension, the Bill shall be passed without Answers, upon Caution being found in the same manner in which Caution is found in Bills of Suspension at present; save and except in Cases where upon the Face of the Bill itself it shall appear that it ought to be refused, and in every such Case it shall be refused accordingly. No written Answers to Bills of Advocation, &c.

XXXIX. And be it enacted, That in like manner Bills of Advocation from inferior Judges, on the Ground of Incompetency or Contingency shall be passed without Answers or *instantly* refused: Provided nevertheless, that the Lord Ordinary on the Bills may in such cases hear Parties *viva voce* if he shall think fit, and such Bills may be passed without Caution. Bills of Advocation on Ground of Incompetency or Contingency.

XL. And be it enacted, That Bills of Advocation and Suspension from inferior Judges, when passed as above directed, upon being expedé or upon a Remit from the Court, shall be inrolled in the Roll of Advocations and Suspensions in the Outer House; and the Lords Ordinary in the Outer House and the Judges in the Inner House shall have the same Power in every Case of Suspension which they now have in Cases of Advocation, to remit to the inferior Judge with Instructions. Bills of Advocation and Suspension when passed how proceeded in.

XLI. And be it enacted, That Bills of Suspension and Interdict shall, with respect to Caution, remain as at present, and the Lord Ordinary may grant Interdict therein after advising the same with or without Answers, but no Replies or Duplies shall be allowed: Provided nevertheless, that the Lord Ordinary upon the Bills may if he thinks proper hear Parties *viva voce* before granting or refusing the Interdict. Bills of Suspension and Interdict.

XLII. And be it enacted, That in Bills of Suspensions of Charges or threatened Charges on Bonds, Bills of Exchange or Promissory Notes, Contracts, Decrees Arbitral, or other Instruments registered Bills of Suspension of Charges on Bonds, &c.

for Execution, and in the case of Bills of Suspension of Decrees of removing, the Proceeding shall be as at present; save and except that no Replies or Duplies shall be allowed, but the Lord Ordinary on the Bills may if he thinks proper hear Parties *viva voce*, and may pass or refuse the Bills with or without Answers.

Bills of Suspension against Decrees.

XLIII. And be it enacted, That in Bills of Suspension against Decrees pronounced by the Court of Session, *in foro*, no Replies or Duplies shall be allowed, and in such cases the extracted Decree shall be produced with the Answers.

Two Principal and Two Depute Clerks of Bills appointed.

XLIV. And be it enacted, That from and after the passing of this Act with the Exceptions after specified, there shall be Two Principal Clerks of the Bills appointed as they are at present, and only Two Depute Clerks of the Bills, each of whom shall be appointed by the Two Principal Clerks jointly, without receiving for any such Appointment, any Price, Gratuity, or valuable Consideration of any Kind; and in case they cannot agree upon any such Appointment, the Lord President of the College of Justice shall have the casting Voice; and in all cases the Nomination shall be reported to the Court.

Principal as well as Depute Clerks to discharge their Duty personally.

XLV. And be it enacted, That the Principal as well as Depute Clerks shall personally discharge the Duties of their respective Offices; the Principal Clerks shall personally attend either Division of the Court of Session when Bill Chamber Causes shall be under Consideration there in the same manner that the Principal Clerks of Session attend in Inner House Causes; the Principal Clerks of the Bills shall also further exercise a due Superintendence over the different Branches of the Duty required for the Performance of the Business of the Bill Chamber.

Fees on Bill Chamber how divisible.

XLVI. And be it enacted, That the Fees payable upon the Proceedings in the Bill Chamber shall be collected and form a common Fund for the Remuneration of the Principal and Depute Clerks of the Bills, and this Fund shall be divided among them Monthly or Quarterly as they may settle among themselves, in the following Proportions; *videlicet*: One third Part thereof shall be paid to each of the Principal Clerks, and One sixth Part thereof shall be paid to each of the Depute Clerks.

So much of Regulations as relate to Fees and Duties of Clerks of Bills suspended.

XLVII. And be it enacted, That so much of the Regulations herein enacted as relate to the Fees and Duties of the Clerks of the Bills, shall be suspended so long as all or any of the present Depute Clerks, *viz.* John Watson, James Mercer, Andrew Miller and William Scott, shall continue to hold their Offices or Office, to the Extent hereinafter specified, *videlicet*: Upon the Death or Resignation of either of John Watson or James Mercer, present Depute Clerks to the Bills, and also Clerks to the Record of Abbreviates of Adjudications, the junior Principal Clerk shall take the Burthen of causing to be discharged the Duty of the said Depute, and the Fees and Emoluments appertaining thereto shall be divided equally between the Two Principal Clerks of the Bills; and upon the Death or Resignation of Andrew Miller, Depute Clerk, or upon the Death or Resignation of William Scott, Assistant Clerk, or upon the Death or Resignation of both the said John Watson and James Mercer, in either of these Three Events the Two Principal Clerks of the Bills shall take the Burthen of causing to be discharged the Duty of the said Person or Persons, and the Fees and Emoluments thence arising shall be

be equally divided between the Two Principal Clerks; and in the Event of the Death or Resignation of both *Andrew Miller* and *William Scott*, the said *John Watson* or *James Mercer*, or both of them if then surviving, shall be one or both of the Depute Clerks to the Bills if they shall so incline, each drawing One sixth Part of the total Fees, and relinquishing the Fees to which each is now entitled; but if either or both of the said *John Watson* or *James Mercer* shall decline to become Depute Clerks of the Bills, the Two Principal Clerks to the Bills shall discharge or take the Burthen of causing to be discharged the whole Duty at present discharged by the said *Andrew Miller* and *William Scott*, and shall in that case receive the Fees which would have been received by the said *Andrew Miller* and *William Scott*, until the Death or Resignation of *John Watson* and *James Mercer*.

XLVIII. And be it further enacted, That the Fees specified in the Schedule hereunto annexed, intituled, "Rate of Fees payable to the Auditor of Court," and no other, shall be payable to and exigible by the Auditor of Court, such Fees, in the Event of there being an Auditor for each Division, being divided equally between the Two Auditors.

Fees of Auditor of Court.

XLIX. And be it enacted, That the Fees receivable by the Keepers of the Inner House Rolls or Clerks of the Lords President of the Two Divisions of the Court of Session, shall form a Common Fund, and be divided equally between them.

Fees of Keepers of Inner House divided.

L. And be it enacted, That so soon as Five junior Ordinary Judges shall officiate as permanent Lords Ordinary in the manner herein directed, the Fees payable to the Clerks of the Ordinary Judges shall form a Common Fund, and shall be equally divided among the Clerks of the Thirteen Ordinary Judges of the Court of Session.

Fees divided between Clerks to Ordinary Judges.

LI. And be it enacted, That Fees demandable by Writers to the Signet for Signet Letters, and for Proceedings in the Service of Heirs before the Macers of the Court of Sessions, shall be the Fees (and no others) appearing from the Schedule hereunto annexed, intituled, "Table of Fees, of Ordinary Signet Letters, and Fees of Service before the Macers," respectively.

Fees demandable by Writers to the Signet.

LII. And be it enacted, That every Sheet charged for by any Practitioner in the Court of Session shall be calculated at the Rate of Three hundred Words to the Sheet; but if any such Instrument shall contain fewer than Three hundred Words, the same shall be charged at the Rate of a Sheet; and if after finding the Sheet or Sheets which any such Instrument shall comprize, calculated at the Rate aforesaid, any Number of Words less than Three hundred Words shall remain, such fewer Words shall be charged as a Sheet.

Contents of a Sheet to be 300 Words.

LIII. And whereas by the aforesaid Report by the said Commissioners, it is certified, that Compensation to a certain Amount ought to be given to the Principal and Depute Clerks of Session, the Extractors, and the Collectors of Clerks' Dues, for Losses that will be sustained by them as therein mentioned, Be it enacted, That the Sums of Aunuity specified in the Schedule hereunto annexed, entitled, "Specific Compensations," shall be paid to the Persons therein named and described respectively, at such time or times in the Year, and in such manner as other Compensations are hereinafter directed to be paid.

Compensations to certain Officers.

Application
to Barons of
Exchequer if
Compensation
inadequate.

LIV. And be it enacted, That in the Event that any of the said Principal or Depute Clerks of Session, or Extractors, shall make an Application to the Barons of Exchequer in *Scotland*, setting forth that the Compensation provided by the Salaries payable by this Act, or specified in the Schedule, is inadequate to his just Claims, and if any of the said Clerks or Extractors shall make it appear that he has suffered or will suffer pecuniary or other Loss, from the Operation or Effect of any of the aforesaid Regulations, beyond the Salaries allowed, and the Compensation made by this Act, due and equitable Consideration being always had of the Circumstances of each individual Case, the said Barons are hereby authorized and required to examine into such Claims, and to decide whether any and what further Sums of Compensation are due to all or any of the said Clerks or Extractors.

Persons suffering
Loss from new
Regulations.

LV. And be it enacted, That if any other Person shall apply to the said Barons, who shall establish his Right, and make it appear that he has suffered or will suffer pecuniary Loss from the Operation or Effect of any of the aforesaid Regulations, it shall and may be lawful for the said Barons to award to such Person such Compensation as the said Barons shall find such Person entitled to, either by the Payment of a gross Sum, or by way of Annuity, as they shall think proper.

Relief.

Fund from which
Compensation
made.

LVI. And be it enacted, That every Sum of Compensation so to be awarded by the said Barons, shall be paid and payable upon the Order of the said Barons, in such manner, and at such time or times, as they shall direct, out of the aforesaid Monies charged or made chargeable by several Acts made in the Seventh and Tenth Years of the Reign of Her Majesty Queen *Anne*, with the Fees, Salaries and other Charges allowed or to be allowed for keeping up the Courts of Session, Justiciary and Exchequer.

Case of aged
Persons em-
ployed in copy-
ing Extracts
considered.

LVII. And be it enacted, That the said Barons of Exchequer shall consider the Situation of such aged and indigent Persons who may have hitherto gained their Subsistence by copying out Extracts in their present Form, and who, having been for many Years attached to the Extractor's Offices, may not be capable of gaining their Livelihood otherwise, and make such Allowance or Allowances, in the way of Annuity, to such Persons respectively, as the said Barons shall think proper, which shall be paid upon their Order out of the aforesaid Monies charged or made chargeable with the Fees, Salaries, and other Charges for keeping up the Courts of Session, Justiciary and Exchequer aforesaid.

Temporary
Allowance.

LVIII. Provided always, and be it enacted, That it shall and may be lawful for the said Barons, who are hereby required, to order and direct such Sum or Sums of Money to be from time to time paid to any such Officer of Court or Person as aforesaid, who shall make Application to them pursuant to this Act, as the said Barons shall think proper, as an *Interim* Allowance, until the Compensation or Provision to be awarded to any such Person by virtue of this Act shall be ascertained and finally determined; and every such Allowance so ordered to be paid by the said Barons shall be paid at the time and in the manner they shall direct out of the aforesaid Monies charged or made chargeable with the Fees, Salaries and other Charges for keeping up the Courts of Session, Justiciary and Exchequer aforesaid.

LIX. And

LIK. And be it enacted, That every Sum to be paid pursuant to this Act out of the aforesaid Monies charged or made chargeable with the Fees, Salaries and other Charges for keeping up the Courts of Session, Justiciary or Exchequer, shall be paid and payable, free and clear from all Taxes and Deductions whatsoever, except the Duty charged by an Act passed in the Forty sixth Year of the Reign of His present Majesty, intituled, *An Act for granting to His Majesty during the present War, and until the Sixth Day of April next after the Ratification of a Definitive Treaty of Peace, additional Rates and Duties in Great Britain on the Rates and Duties arising from Property, Professions, Trades and Offices; and for repealing an Act passed in the Forty fifth Year of His present Majesty, for repealing certain Parts of an Act made in the Forty third Year of His present Majesty, for granting Contribution on the Profits arising from Property, Professions, Trades and Offices; and to consolidate and render more effectual the Provisions for collecting the said Duties.*

Allowances
Tax free, except
46 G. 3. c. 63.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

Form of Extract of Decreet in an Ordinary Action for Payment of Debt.

AT Edinburgh, the _____ Day of _____
sitting in Judgment the Lords of Council and Session, they decerned and ordained and hereby decern and ordain
Defender to make Payment to _____
Pursuer of the Sum of _____ Sterling of
Principal contained in and due by the Bond, Bill or other Document or Claim founded on in the Libel [*which must be shortly mentioned by Date or otherwise, as expressed in the Judgment of the Court*] or, due in manner libelled on. Item, of the lawful Interest of said Sum from and since the _____ Day of _____
till Payment; and of the Sum of _____
of Expences found due, and of the Sum of _____
Sterling further as the Expence of extracting this Decreet; and ordain Letters of Horning on a Charge of Fifteen Days, and all other Execution to pass hereon in Form as Effects. Extracted by me, one of the Principal Clerks of Session.

In Cases of Decrees in Absence.

The Form will be the same as in the above, with the Addition of the Words "in Absence" before the Word "decerned," with such Alteration in regard to Expences as the Circumstances of the Case may require.

SCHEDULE (B.)

Form of Decreet of Absolvitor in an Ordinary Action for Payment of Debt.

AT Edinburgh, the _____ Day of _____
sitting in Judgment the Lords of Council and Session, they absolvied and hereby absolvie *simpliciter*

B b 2

Defender

Defender from the whole Conclusions of the Summons and Action insisted in before the said Lords at the Instance of
 against the said Defender for Payment of the Sum
 of Sterling alledged to have been due by the
 Defender to the Pursuer by the Bond, Bill or other Document of
 Debt or Claim mentioned in the Libel [*which it will be necessary to
 refer to by Date or Description*] and decerned and ordained, and
 hereby decern and ordain the said Pursuer to make Payment to the
 said Defender of the Sum of [here insert
*the Sum of Expences, if such are found due by the Judgment of the
 Court.*] Item, of the Sum of farther as the
 Expence of extracting this Decreet; and ordain Letters of Horning
 on Fifteen Days Charge, and all other Execution to pass hereon in
 Form as Effects. Extracted by me, one of the Principal Clerks of
 Session.

SCHEDULE (C.)

Form of Extract in an Advocation where the Cause is remitted
simpliciter.

AT Edinburgh, the Day of
 sitting in Judgment the Lords of Council and Session in the Process
 of Advocation insisted in at the Instance of
 against complaining of an Inter-
 locutor of the Sheriff Depute of dated the
 Day of last, the said Lords remit-
 ted and hereby remit the said Action and Cause *simpliciter* to the
 said Sheriff Depute, to the end he may proceed and administer Justice
 therein to the final Issue and Conclusion thereof; and further decerned
 and ordained, and hereby decern and ordain the said
 . Advocator to make Payment to the said
 Defender, of the Sum of Sterling of Expen-
 ces, and of the Sum of as the Expence of this Act,
 and remit and decreet and ordain Letters of Horning on Fifteen
 Days Charge, and all other Execution to pass hereon at the Instance
 of the said Defender against the said
 Advocator for Payment of these Sums ac-
 cordingly in Form as Effects. Extracted by me, one of the Princi-
 pal Clerks of Session.

In Cases of a Remit with Instructions.

The Form will be similar to the above, but reciting the Instructions.

SCHEDULE (D.)

Form of Extract in a Suspension where the Letters are found
 orderly proceeded.

AT Edinburgh, the Day of
 sitting in Judgment the Lords of Council and Session, in the Process
 of Suspension insisted in at the Instance of
 against complain-
 ing of having been charged or threatened to be charged to make Pay-
 ment to the said of the Sum of
 Sterling

Sterling of Principal contained in and due by the Bond, Bill or other Document mentioned in the Letters [*which must be shortly described by Title and Date*] and of the Interest thereof, the said Lords found and hereby find the Letters and Charge to be orderly proceeded, and decerned and ordained, and hereby decern and ordain the same to be put to further Execution, and further decern and ordain the said Suspenders and his Cautioner in the said Suspension, conjunctly and severally to make Payment to the said Charger of the aforesaid Sum of Sterling of Principal; Item, of the lawful Interest thereof since the Day of when the same fell due, till Payment, and of the Sum of Sterling of Expences found due by the said Suspenders to the said Charger for wrongous suspending; and of the Sum of further as the Expence of extracting this Decreet, besides the Sum of as the Expence of extracting the said Bond of Cautionary, and ordain Letters of Horning on a Charge of Fifteen Days, and all other Execution to pass hereon, and on the Extract of the Suspenders's Bond of Cautionary against the Suspenders and his Cautioner conjunctly and severally in Form as Effairs. Extracted by me, one of the Principal Clerks of Session.

SCHEDULE (E.)

Form of Extract in a Suspension when the Letters are suspended *simpliciter*.

AT Edinburgh, the Day of sitting in Judgment the Lords of Council and Session in the Suspension insisted in at the Instance of against complaining of being charged or threatened to be charged to make Payment to the said [the Nature of the Charge to be shortly stated] the said Lords suspended the said Letters and Charge *simpliciter*, found the said Charges † liable in the Sum of of Expences, and decerned and ordained, and hereby decern and ordain the said Charger, to make Payment to the said Suspenders, of the said Sum of of Expences, and of the Sum of as the Expence of extracting the Decreet, and ordain Letters of Horning on Fifteen Days Charge, and all other Execution to pass hereon in Form as Effairs. Extracted by me, one of the Principal Clerks of Session.

† Sic

SCHEDULE (F.)

Actions of RANKING and SALE.

Form of Act and Commission in Ranking and Sale.

AT Edinburgh, the Day of upon a Summons and Action of Ranking and Sale insisted in and depending before the Lords of Council and Session, at the Instance of against and the following Persons his Creditors, *videlicet* [here enumerate

enumerate the Names of the different Defenders cited in the Action either editally or otherwise] concluding that the following heritable Subjects belonging to the said common Debtor, *viz*; all and whole the Lands of, &c. [*here describe the several Subjects contained in the Summons*] ought and should be sold under Authority of the said Lords, and the Rents and Prices thereof divided among his Creditors according to their several Rights of Preference thereon: After some Procedure had taken place in the Action before the Lord

as Ordinary thereto, the said Lords of Council and Session of the Date hereof, sustained and hereby sustain the Libel, and allowed and hereby allow the Pursuer to prove *prout de jure* the Yearly Rent of the Lands and others before specified, what the same have paid, do or may pay Yearly, allowed and hereby allow the Defenders a conjunct Probation thereanent; and for that End gave and granted and hereby give and grant full Power, Warrant and Commission, &c. [*agreeably to the Terms of the Interlocutor of the Court, which must be engrossed*]. Extracted by me, one of the Principal Clerks of Session.

SCHEDULE (G.)

Form of Extract of Decree of Sale.

AT Edinburgh, the _____ Day of _____
upon a Summons and Action of Ranking and Sale raised and insisted in before the Lords of Council and Session at the Instance of _____
against _____ and the following Persons
as his Creditors, &c. [*here enumerate the several Defenders who appear to be cited to the Action, either editally or otherwise*] concluding that the several heritable Subjects belonging to the said

as specified in the Libel, and after described, ought and should be sold under Authority of the Court, and adjudged, decerned and declared to belong to the Person or Persons who should offer most for the same at the Roup thereof: After a Proof had been adduced of the Rental and Value of the said Subjects, and that a Roup of the same had taken place, the Lords of Council and Session, upon Report of the Lord

found and hereby find the Roup and Sale of the said Subjects carried on before his Lordship on the _____ Day of _____

last orderly proceeded, and that having offered for the said Subjects the Sum of _____ Sterling, was the last and highest Offerer for the same at the said Roup, and was accordingly preferred to the Purchase thereof by the Lord Reporter agreeably to the Articles of Roup, and has accordingly found Caution in Terms of the said Articles; therefore the said Lords sold, adjudged, decerned and declared, and hereby sell, adjudge, decern and declare all and whole, &c. [*here the Lands are to be specially enumerated*] to pertain and belong to the said

his Heirs and Assigns heritably and irredeemably, upon Payment or Consignation of the aforesaid Price, with the annual Rent thereof in the Terms mentioned in the Articles of Roup and relative Bond granted therefor [*here the Remainder of the Interlocutor of the Court must be taken in*] and ordain Letters of Horning to pass and be direct hereon against the Superior of the said Subjects

jects for infesting the Purchaser and his forefairs therein in Form as Effairs. Extracted by me, one of the Principal Clerks of Session.

SCHEDULE (H.)

Form of Extract of Decreet of Ranking.

AT Edinburgh, the Day of

**in the Summons and Action of Ranking and Sale, raised
and insisted in before the Lords of Council and Session, at the
Instance of against**

and the following Persons his Creditors, *videlicet* [here enumerate the Names of the different Creditors cited] concluding that the following heritable Subjects belonging to the said-

videlicet, All and whole, &c. [*here describe the Subjects*] ought and should be sold under Authority of the Court, in Terms of the several Acts of Parliament and Acts of *Sederunt* libel- led on, and the Rents and Prices thereof divided among his Creditors, according to their several Rights and Diligences affecting the same, the following Grounds of Debt and Diligences thereon were pro- duced on the Part of the respective Creditors after named, *videlicet* [*here take in shortly the Grounds of Debt, &c. produced by the Cre- ditors conform to the Inventories thereof given in by them; then add*] and after some Procedure had been taken in the Action before the Lord _____ as Ordinary thereto, the said Lords of Council and Session, of the Date hereof, ranked and preferred, and hereby rank and prefer, &c. [*here the Words of the Interlocutor of Ranking to be verbatim engrossed*] and ordain all Letters and Execu- tion necessary to pass and be direct hereon in Form as Effairs. Ex- tracted by me, one of the Principal Clerks of Session.

SCHEDULE (I.)

Form of Extract of Decreet of Division.

AT Edinburgh, the Day of
in the Process of Ranking and Sale, raised and insisted in before the
Lords of Council and Session, at the Instance of
against and the

following Persons his Creditors, *videlicet* [here recite the Names of the Creditors cited] concluding that the Lands and Estates, &c. [here describe the Subjects shortly] belonging to the said

should be sold under Authority of the Court, and the Rents and Prices thereof divided among his Creditors, conform to their respective Rights and Diligence affecting the same, after the aforesaid Subjects had been sold, and a Decreet Ranking, the Creditors pronounced and extracted: The said Lords of Council and Session, of the Date hereof, approved and hereby approve of the Scheme of Division of the Rents and Prices of the said Subjects made up and reported by

Accomptant in *Edinburgh*;

and in Terms thereof decerned and ordained, and hereby decern
and ordain the Purchaser of the

the said Subjects, to make Payment of the Sum due by him, extending of Principal and Interest at the Term of

to the Sum of Sterling, in manner following, *videlicet* [here take in that Part of the Accomptant's Scheme

which allocates the Price, and in case the Factor has any Balance in his Hands, the Allocation of that Balance must also be inserted] and ordain Letters of Horning on Fifteen Days Charge, and all other Execution necessary to pass and be direct hereon in Form as Effects. Extracted by me, one of the Principal Clerks of Session.

: SCHEDULE. DUES OF COURT.

Summonses.

	£.	s.	d.
IN lieu of the present Fee or Dues of Court, on Tabling of Summonses, there shall be paid one very Summons the Sum of	1	0	0

Suspensions and Advocations.

To pay the like Fee of One Pound each	1	0	0
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Original or Summary Applications by Petition, &c.
Original Petitions, and Petitions and Complaints, or any other Summary Application, by which a Cause comes in the first Instance before the Outer or Inner House, shall pay in lieu of the present Fee of Four Shillings and Ten pence One Pound each

	1	0	0
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Defences.

All Defences including and comprehending the first Paper or Step of Process, given in for the Charger in a Suspension, or for the Defender, called in an Advocation, One Pound each

	1	0	0
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Answers to Summary Applications.

All Answers in Summary Applications, each One Pound

	1	0	0
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Condescendences and Answers in Outer or Inner House.

Condescendences, each Ten Shillings	0	10	0
Answers to Ditto, or Counter-Condescendences, each Ten Shillings	0	10	0

Amendments of Libel, or additional Defences or Supplementary Condescendences or Answers, Each, One Pound

	1	0	0
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Representations and Answers.

Representations to pay Ten Shillings each	0	10	0
Answers to pay Five Shillings each	0	5	0

Minutes.

Each Minute ordered by the Lord Ordinary or Court to be given in in the Inner or Outer House to pay Five Shillings	0	5	0
Every Answer Five Shillings	0	5	0

Memorials

Memorials or Informations.

Memorials or Informations either in the Inner or Outer House to pay Ten Shillings each - - -

£. s. d.
0 10 0

Petitions, Reclaiming or Incidental, and Answers.
All Petitions and Answers (other than Original or Summary Applications as above) in lieu of the present Fee of Four Shillings and Ten pence, to pay Ten Shillings each - - -

0 10 0

Prepared States.

Each Party in place of the present Fee on Hearings of Nine Shillings and Eight pence, to pay One Pound -

1 0 0

Replies and Duplies.

Replies and Duplies in the Inner or Outer House to pay each One Pound - - -

1 0 0

Notes.

All Notes to the Lord President printed or written, Five Shillings each - - -

0 5 0

Depositions of Witnesses or of Parties.

Depositions of Witnesses or of Parties, whether in presence of the Court or on Commission, in lieu of the present Fee, to the Clerks of Session to pay each Two Shillings - - -

0 2 0

Interests in Processes of Multiple Poindings, Adjudications and Rankings and Sale; also Writings given in to satisfy Productions in Reductions, each Ten Shillings - - -

0 10 0

All Interests where the Sum claimed is under Ten Pounds, to continue as at present to pay no Fee.

Abridged Extracts.

The Extracts of Decrets *in foro*, each One Pound One Shilling - - -

1 1 0

Extracts of Decrets in Absence, Acts, Abbreviates of Adjudication, Diligences and Protestations, Ten Shillings and Six pence each - - -

0 10 6

The Fees of the Lord Clerk Register on Summonses, and on Acts and Decrets, as also those of the Keeper of the Minute Book; and of the Macers on Acts and Decrets, and the Fees of the Macers on the Depositions of Witnesses and of Parties; and those of the Housekeepers on Abbreviates of Adjudications, and on Interests in Adjudications, are to remain as at present; and the Clerks Assistant who prepares † the Extracts, is likewise to be allowed to charge the ordinary Rate of copying *per* Sheet allowed to Agents before the Court of Session at the time.

† *Sic*.

Certified

Certified Copy of Proceedings for Appeal, Five Pounds each	£.	s.	d.
	5	0	0
Cross Appeals to pay the same Sum each	5	0	0
None of the above Dues to attach upon Processes on the Poors Roll.			

There is at present payable upon Extracts of Deeds recorded in the Books of Council and Session, which are subscribed by the Principal Clerks of Session as Deputies empowered to that Effect by the Lord Clerk Register, the Sums following, viz.

A Protest	£.	s.	d.
	0	3	5
Of which there is paid to the Lord Register	£.	s.	d.
	0	1	14
To the Clerks	0	1	14
To the Keepers	0	0	4 ⁸
And for writing, recording, Paper, &c.	0	0	9 ³

A Deed (First Sheet)	£.	s.	d.
	0	3	5
Of which the Lord Register draws	£.	s.	d.
	0	1	14
The Clerks drew	0	1	14
The Keepers	0	0	4 ⁸
Writing, recording, Paper, &c.	0	1	0 ³

Second Sheet pays	£.	s.	d.
	0	2	4
Of which the Clerks draw	£.	s.	d.
	0	0	10
The Keepers	0	0	8
Writing, recording and Paper	0	0	10

Third and each other Sheet pays	£.	s.	d.
	0	2	4
Of which the Keepers draw	£.	s.	d.
	0	1	6
Writing, recording and Paper	0	0	10

The above Registration Fees, in so far as they go to the Lord Clerk Register and Keepers of Registers, &c. shall continue on their present footing: but in so far as they go to the Principal Clerks of Session, and form a Part of the General Fund which they divide among themselves, shall be drawn by the Collector, and paid into the Fee Fund, out of which the Allowances or Salaries to the Principal and Depute Clerks of Session, &c. are to be paid in future.

SCHEDULE.

Rate of Fees payable to the Auditor of Court.

When the Amount of the Account to be taxed is under Ten Pounds, the Auditor's Fee to be	£.	s.	d.
	0	7	6
Where the Account amounts to Ten Pounds but is under Twenty Pounds	0	10	6
Where the Account amounts to Twenty Pounds but is under Fifty Pounds	0	15	0
Where the Account amounts to Fifty Pounds but is under One hundred Pounds	1	1	0
Where the Account amounts to One hundred Pounds but is under One hundred and fifty Pounds	1	11	6
Where			

Where the Account amounts to One hundred and fifty Pounds but is under Two hundred Pounds	£.	s.	d.
	2	2	0
Where the Account amounts to Two hundred Pounds but is under Three hundred Pounds	3	3	0
Where the Account amounts to Three hundred Pounds but is under Five hundred Pounds	4	4	0
Where the Account amounts to Five hundred Pounds and upwards	5	5	0

SCHEDULE.

Fees of Ordinary Signet Letters and of Services before the Macers.

Fees of Ordinary Signet Letters.

Letters of Horning and Poining, Caption, Arrestment, Supplement and Law Burrows :

	£.	s.	d.
First Sheet, estimated as the legal Sheet, is by this Act	0	5	0
Every other Sheet so estimated	0	2	0
Inhibitions, Hornings against Superiors, Letters of General and Special Charge, and Summonses of Adjudication :			
First Sheet	0	10	0
Second Sheet	0	6	0
All other Summonses passing the Signet :			
First Sheet	0	6	0
Second Sheet	0	4	0
Bills of Suspension and of Advocation, when drawn by a Writer to the Signet :			
First Sheet	0	6	0
Every other Sheet	0	4	0
Letters of Suspensions and Advocations, when expedited by the Writer to the Signet who drew the Bill :			
For the formal Part, per Sheet	0	4	0
For every other Sheet, for writing and expediting the Letters	0	1	0
When the Bill is drawn by another Person :			
For the formal Part per Sheet	0	5	0
For every other Sheet	0	2	0

Fees of Service before the Macers to the Writer to the Signet, as Clerk to the Service, without Prejudice to other proper Charges relative to making up the Title.
For the Bill for Commission, Acts and Minutes of Court, Commissions to proclaim Brieves, &c.

First Sheet	0	6	0
Every other Sheet	0	4	0
For Claim,			
First Sheet	0	10	0
Every other Sheet	0	6	0
For the Retour,			
First Sheet	1	0	0
Every other Sheet	0	12	0

As

As Clerk to the Service,	£.	s.	d.
When the Lands are below £. 400 valued Rent	-	4	4 0
Amounting to £. 400. and below £. 700.	-	5	5 0
£. 700. and below £. 1,000.	-	7	7 0
£. 1,000. and below £. 1,500	-	8	8 0
£. 1,500. and upwards	-	10	10 0

SCHEDULE.

Specific Compensations :

To each of the Principal Clerks of Session now in Office, in addition to the Salary of One thousand Pounds in the foregoing Act provided, during the respective Lives of the said Clerks, upon their severally becoming entitled to such Salary	-	£. 100 per Ann.
To Thomas Mason, Extractor, besides the Salary of Two hundred Pounds in the foregoing Act provided during his Life	-	£. 33 per Ann.
To Louis de Maria, Extractor, besides the like Salary, during his Life	-	£. 30 per Ann.
To William Carmichael, Extractor, besides the like Salary, during his Life	-	£. 50 per Ann.
To John Elder, Extractor, besides the like Salary, during his Life	-	£. 328 per Ann.
To Adam Wilson, Extractor, besides the like Salary, during his Life	-	£. 175 per Ann.
To Joseph Johnson, Extractor, besides the like Salary, during his Life	-	£. 5 per Ann.
To the following Extractors, during their respective Lives :		
Thomas Millar	-	£. 310 per Ann.
Robert Pitcairn	-	170 per Ann.
James Sibbald	-	50 per Ann.
David George	-	26 per Ann.
James Shiells	-	44 per Ann.
Alexander Pitcairn	-	20 per Ann.
John Alexander	-	100 per Ann.
Thomas Scott	-	130 per Ann.
John Chalmers	-	120 per Ann.
William Smith	-	110 per Ann.
Walter Lockhart	-	20 per Ann.
To the Collector of Clerks Dues now in Office, and his Deputes during their respective Lives, according to the Proportions in which they now respectively receive the same	-	100 per Ann.

C A P. CXIII.

An Act for enabling His Majesty to raise the Sum of Three Millions for the Service of Great Britain.

[20th June 1810.]

“ Treasury empowered to raise 3,000,000*l.* by Exchequer Bills, in
“ manner directed by 48 G. 3. c. 1. — § 1, 2. Principal of said Bills
“ chargeable on First Supplies of next Session. § 3. Interest
“ thereon

“ thereon at $3\frac{1}{2}d.$ per Cent. per Diem. § 4. Said Bills to be current at the Exchequer after April 5, 1811. — § 5. Bank of England empowered to advance 3,000,000*l.* on Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20. — § 6.

C A P. CXIV.

An Act for granting to His Majesty a Sum of Money to be raised by Exchequer Bills, and to be advanced and applied in the Manner and upon the Terms therein mentioned, for the Relief of the United Company of Merchants of *England* trading to the *East Indies*. [20th June 1810.]

‘ WHEREAS the United Company of Merchants of *England* trading to the *East Indies*, at present labour and have for some time past laboured under Difficulties, in the providing for certain Demands, by Creditors in the *East Indies* drawing upon the said Company in *England*: And whereas it is expedient that a Sum of Money should be advanced for the Relief of the said Company: And whereas it has been resolved, that a Sum not exceeding One million five hundred thousand Pounds be granted to His Majesty, to be applied for the Purpose of relieving the *East India Company*; We Your Majesty’s most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners of His Majesty’s Treasury, at any time or times before the Fifth Day of *April* One thousand eight hundred and eleven, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of the Exchequer, for any Sum or Sums of Money not exceeding in the Whole the Sum of One million five hundred thousand Pounds, in the same or like Manner, Form and Order, and according to the same or the like Rules and Directions as are prescribed in an Act passed in the Forty eighth Year of His present Majesty’s Reign, intituled, *An Act for regulating the issuing and paying off of Exchequer Bills*.

Treasury may
issue 1,500,000*l.*
Exchequer Bills.

48 G. 3. c. 1.

II. And be it further enacted, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Disabilities contained in the said Act, shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses or Provisoes had been particularly repeated and reenacted in the Body of this Act.

Powers of recited
Act extended to
this Act.

III. And be it further enacted, That the Principal Sum or Sums of Money to be contained in such Exchequer Bills shall be and are hereby charged and chargeable upon, and shall be paid and discharged by and out of the Supplies to be granted in the next Session of Parliament.

Exchequer Bills
charged on
Supplies.

IV. And be it further enacted, That the Exchequer Bills to be made out in pursuance of this Act shall bear Date on the Days on which the same shall be respectively issued; and shall and may bear

To bear Interest
at $3\frac{1}{2}d.$ per Cent.
per Diem.

an

an Interest not exceeding the Rate of Three pence Halfpenny *per Centum per Diem*, upon or in respect of the whole of the Monies respectively contained therein, payable out of the Aids or Supplies in the Receipt of His Majesty's Exchequer.

Treasury to
advance the
Money raised
on such Bills
to Company.

V. And be it further enacted, That it shall be lawful for the Commissioners of His Majesty's Treasury, or any Three or more of them, and they are hereby required, at any time before the Fifth Day of *April* One thousand eight hundred and eleven, to advance and pay to the said United Company, out of the Money raised or which may be raised upon such Exchequer Bills, such Sums of Money not exceeding in the Whole the Produce of the Exchequer Bills allowed to be issued under this Act, and at such times as shall be required by the said Company, for their Relief; and the said Company shall, on or before the First Day of *January* One thousand eight hundred and twelve, pay into the Receipt of His Majesty's Exchequer at *Westminster*, such Sum or Sums of Money as shall be equal in Amount to the Money so to be advanced to the said Company, together with the Interest and Charges incident to and attending the Exchequer Bills to be issued by virtue of this Act, or any other Exchequer Bills which may be issued under the Authority of Parliament in lieu thereof, and that the said Company shall give Security by Bond or Bonds to His Majesty, his Heirs and Successors, for the due Repayment of all such Advances, together with the Charges incident to the same as aforesaid, within the Period, and in the manner herein provided.

Exchequer Bills
may be taken in
Payment of
Revenue.

VI. And be it further enacted, That all and every the Exchequer Bills to be made forth by virtue of this Act, or so many of them as shall from time to time remain undischarged and uncanceled, shall and may, from and after the Fifth Day of *April* One thousand eight hundred and eleven, be received and taken, and shall pass and be current to all and every the Receivers and Collectors in *Great Britain* of the Customs, Excise, or any Revenue, Supply, Aid or Tax whatsoever already granted, due or payable, or which shall or may hereafter be granted, due or payable to His Majesty, his Heirs and Successors, and also at the Receipt of the Exchequer from the said Receivers or Collectors, or from any other Person or Persons, Bodies Politick or Corporate whatsoever, making any Payments there to His Majesty, his Heirs and Successors, for or upon any Account, Cause or Occasion whatsoever, according to the Purport and true Meaning of this Act; and that such of the same Bills as shall be received at the Exchequer shall and may be locked up and secured as Cash, according to the Course of the Exchequer settled and established by Law for locking up and securing Monies received in Specie there.

Bank may ad-
vance the Money.

VII. And be it declared and further enacted, That it shall and may be lawful for the Governor and Company of the Bank of *England*, to advance or lend to His Majesty, upon the Credit of the Exchequer Bills to be made out in pursuance of this Act, any Sum or Sums of Money, not exceeding in the Whole the Sum of One million five hundred thousand Pounds; any thing in an Act made in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, intituled, *An Act for granting to Their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale and other Liquors, and for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the*

S & G W. & M.
c. 20.

the Sum of One Million five hundred thousand Pounds towards carrying on the War against France, or in any subsequent Act, to the contrary thereof in any wise notwithstanding.

VIII. And be it further enacted, That this Act may be altered, varied or repealed by any Act or Acts to be passed in this Session of Parliament. Act altered, &c.

C A P. CXV.

An Act for granting to His Majesty certain Sums of Money out of the Consolidated Fund of Great Britain, and for applying certain Monies therein mentioned, for the Service of the Year One thousand eight hundred and ten; and for further appropriating the Supplies granted in this Session of Parliament. [20th June 1810.]

§ I.	£ 4,400,000	0	0	Out of Surplus of British Consolidated Fund.
II.	428,550	16	1½	Surplus of Consolidated Fund on 5th Jan. 1810.
III.	2,233,051	16	6	Ditto - 5th April, 1810.
IV.	8,000,000	0	0	Part of the Sum of £ 19,000,000 granted by 49 G. 3. c. 128.
V.	19,500,000	0	0	From the following Duties, viz.
				Additional Customs under 43 G. 3. c. 70.
				Excise - c. 81.
				Duties on Property - c. 122.
				Additional Customs 44 G. 3. c. 53.
				Duties on Property - 45 G. 3. c. 15.
				Excise on Tobacco, &c. - 46 G. 3. c. 39.
				Customs - c. 42.
				Duties on Property - c. 65.
				Excise on Brandy 47 G. 3. c. 27.
				Customs - 48 G. 3. c. 26.
				Ditto - 49 G. 3. c. 98.
VI.	1,448,100	0	0	Exchequer Bills charged upon Supplies for 1809, subscribed to be funded pursuant to Resolutions of House of Commons of 13th March and 10th April 1810.
VII.	The following Sums, viz.			
	Produce of Malt and Pension Act, not exceeding			
	3,000,000	0	0	- 50 G. 3. c. 1.
	10,500,000	0	0	Exchequer Bills - c. 2.
	1,500,000	0	0	Ditto - c. 3.
	6,000,000	0	0	Ditto - c. 69.
	12,000,000	0	0	Annuities (after remitting 4,000,000 l. to Ireland,) - c. 45.
	Lotteries,			(deducting One third for Ireland,) - c. 94.
	3,000,000	0	0	Exchequer Bills - c. 113.
	428,550	16	1½	Surplus of Consolidated Fund (See § II.)

Granted to make good the Supply for Service of Great Britain for 1810.

Appropriated to the Uses after expressed. See § IX, &c.

8,000,000	0	0	Part of Sum remaining to be received 16th Feb. 1810, to complete 19,000,000 <i>l.</i> granted out of Produce of War Taxes 1809.	Appropriated to the Uses after expressed See § IX, &c.
2,233,051	16	6	(granted above, § III.)	
19,500,000	0	0	out of War Taxes (granted above, See § V.)	
1,448,100	0	0	(granted above, § VI.)	
4,400,000	0	0	out of Surplus of Consolidated Fund (See § I.)	

VIII. The following Sums, viz.

4,000,000	0	0	(Annuities)	coming into the Irish Exchequer under the Acts.	<div> <div>50 G. 3. c. 45.</div> <div>— c. 68.</div> <div>— c. 94.</div> <div>— c. 98.</div> </div>	Appropriated to the Uses after expressed. See § XXV, &c.
1,400,000	0	0	Ditto			
Share of Lotteries						
216,000	0	0	(Treasury Bills)			

IX. Appropriation, viz.

19,829,434	5	11	For Naval Services; that is to say, £. s. d.						
2,999,750	0	0	For 130,000 Men,	} at per Man per Month.	{	1	15	6	} For 13 Months.
3,992,625	0	0	For Victuals,			2	7	3	
3,295,500	0	0	For Wear and Tear of Ships,			1	19	0	
591,500	0	0	For Ordnance for Sea Service,			0	7	0	
1,511,075	15	11	For Ordinary of Navy including Half Pay,			-	-	-	
1,841,107	0	0	For Building and Repairs of Ships of War and extras.	-	-	-			
854,314	0	0	For Provisions for Troops and Garrisons on Foreign Stations, and Rations for Troops embarked on board Transports.	-	-	-			
2,760,000	0	0	For Hire of Transports.	-	-	-			
731,000	0	0	For Prisoners of War in Health at Home and Abroad.	-	-	-	} For the Year 1810.		
75,000	0	0	Ditto Sick.	-	-	-			
370,750	0	0	For Sick and Wounded Seamen at Home and Abroad.	-	-	-			
460,687	10	0	For additional 15,000 Men, for 13 Months, at 2 <i>l.</i> 7 <i>s.</i> 3 <i>d.</i> per Man per Month.	-	-	-			
346,125	0	0	For Wages of said Men, at 1 <i>l.</i> 15 <i>s.</i> 6 <i>d.</i> per Man per Month	-	-	-			

X. 3,000,000 0 0 For *Great Britain*, "to enable His Majesty to take such Measures as may be necessary to disappoint or defeat any Enterprizes or Designs of His Enemies, and as the Exigencies of Affairs may require."

XI. 200,000 0 0 *British* Currency, "to enable His Majesty to take such Measures as the Exigencies of Affairs may require for *Ireland*."

XII. 400,000 0 0 For Engagements with His *Sicilian* Majesty.

XIII. 980,000 0 0 For the Government of *Portugal* "in support of the Military Exertions of that Kingdom, and for the Maintenance of 30,000 *Portuguese* Troops."

XIV.	20,337,080	4	0	For Land Forces and other Services; that is to say,
	7,483,902	6	9	For Land Forces at Home and
				Abroad (except in the <i>East Indies</i> , Foreign Corps and embodied Militia.
	28,973	7	6	For Five Troops of Dragoons and Sixteen Companies of Foot for recruiting Corps serving in <i>India</i> .
	2,897,861	8	3	For the embodied Militia of the United Kingdom, and of the Royal Corps of Miners of <i>Devon</i> and <i>Cornwall</i> .
	457,724	14	4	For General and Staff Officers, and Officers of Hospitals and Garrisons.
	30,375	15	0	For full Pay for Supernumerary Officers of Forces.
	279,549	6	11	For Principal Officers of several Publick Departments in the United Kingdom, their Deputies, Clerks and Contingencies, and Amount of Exchequer Fees to be paid by the Paymaster General.
	223,606	8	6	For Half Pay to reduced Officers of Land Forces including <i>British American</i> Forces, and <i>Scotch</i> Brigade late in the Service of the <i>States General</i> .
	10,302	13	11	For Military Allowances to reduced Officers of Land Forces, including <i>British American</i> Forces.
	405,487	5	8	For In and Out Pensioners of <i>Ghelsea</i> and <i>Kilmainham</i> Hospitals, and Expenses of the Hospitals.
	56,078	16	6	For Pensions to Widows of Officers of Land Forces and Expenses attending the same in the United Kingdom.
	869,569	10	10	For Volunteer Corps in the United Kingdom.
	648,650	0	0	For Local Militia Forces in <i>Great Britain</i> .
	968,425	6	4	For Foreign Corps in the Service of the United Kingdom.
	17,840	13	0	For Allowances to retired Chaplains and Allowances to Clergymen officiating with Forces at Home, including Allowance to retired Chaplain General and other Contingencies.

From
25th Dec. 1809, to
24th Dec. 1810.

	114,525	14	10	For Medicines for Land Forces and Hospital Contingencies.	
	15,700	0	0	For Allowances on the Compassionate List to Children of deceased Officers and Widows of Officers of Land Forces.	
	476,617	9	7	For Barrack Department in Ireland.	From 25th Dec. 1809, to 24th Dec. 1810.
	309,489	13	1	For the Commissariat and extra Forage for Cavalry in Ireland.	
	1,207,000	0	0	For probable Expenditure of Commissary in Chief's Department.	
	548,481	0	0	For Barrack Department in Great Britain.	For the Year 1810.
	441,517	13	0	For extraordinary Expences of the Army not provided for.	From 25th Dec. 1808, to 24th Dec. 1809.
	2,750,000	0	0	For extraordinary Services of the Army in Great Britain.	
	200,000	0	0	Ditto - in Ireland.	
XV.	3,078,742	19	2	For Office of Ordnance for Land Service for Great Britain.	For the Year 1810.
	131,191	18	3	For Ditto not provided for in 1808.	
	124,542	5	0	Ditto - in 1809.	
	447,710	3	3	Ditto for Ireland for 1810.	
	37,278	19	2	Ditto not provided for in 1809.	
XVI.	10,500,000	0	0	For discharging outstanding Exchequer Bills under 49 G. 3. c. 2.	
XVII.	1,500,000	0	0	Ditto - - - - -	c. 3.
XVIII.	8,000,000	0	0	Ditto for the Service of the Year 1809.	
XIX.	6,000,000	0	0	Ditto - - - - -	49 G. 3. c. 52.
XX.	2,689,900	0	0	Ditto - - - - -	c. 114.
XXI.	15,165	2	6	To make good like Sum issued pursuant to Addresses of the House of Commons, not made good by Parliament.	
XXII.	Civil Establishments, viz.				
	10,450	0	0	Upper Canada.	
	2,060	0	0	Cape Breton.	
	10,165	0	0	Nova Scotia.	
	5,600	0	0	New Brunswick.	
	3,700	0	0	Bahama Islands.	
	1,030	0	0	Bermuda or Somers Islands.	
	600	0	0	Dominica.	
	4,551	0	0	Newfoundland.	
	13,268	15	0	New South Wales.	
	15,710	0	0	Sierra Leone.	
	3,100	0	0	Saint John in America.	
	23,000	0	0	British Forts and Settlements in Africa.	
XXIII.	13,188	1	6	For paying Annuities under 37 G. 3. c. 10. and 42 G. 3. c. 8.	On 5th April 1810.
	5,588	1	9	Ditto - - - - -	On 10th Oct. 1810.
					6,000

6,000	0	0	To Sheriffs for Conviction of Felons.	} For the Year 1810.
20,000	0	0	Law Charges for <i>Great Britain</i> .	
12,000	0	0	Publick Office <i>Bow Street</i> .	
1,362	6	11½	Deficiency of Grant of 1809, for Printing and Stationary for both Houses of Parliament.	
26,800	0	0	For Printing and Stationary for both Houses of Parliament.	
1,328	5	4	To pay Charitable and other Allowances to the Poor of <i>Saint Martin in the Fields</i> .	
3,500	0	0	Extraordinary Expences for Prosecutions, &c. relating to the Coin.	
7,841	12	11	Superintendence of Aliens.	} For the Year 1810.
56,450	0	0	Expence of Convicts at Home.	
161,452	2	0	<i>French</i> Clergy, <i>Toulonese</i> , <i>Dutch</i> and <i>Corfican</i> Emigrants, <i>Saint Domingo</i> Sufferers and <i>American</i> Loyalists.	
5,500	0	0	Allowances to Officers of Houses of Lords and Commons, and Disbursements to Serjeants at Arms.	
3,162	7	4	Printing by Order of Commissioners of Publick Records.	
428	15	0	For Index to Rolls of Parliament.	
533	13	6	For Index to Journals of the Peers, from 5th <i>July</i> 1808 to 5th <i>July</i> 1809.	
1,151	8	0	For Salaries and Incidental Expences in forming said Indexes.	
2,698	13	0	Chairman of Committee of House of Lords, for the Year 1809.	
1,623	0	0	Serjeant at Arms to House of Lords for Services during 1809.	
219	14	0	Deputy Serjeant at Arms to House of Commons for One Year's Rent of House in lieu of Apartments.	
182	5	3	Expences on prosecuting <i>Elm Bark</i> Bill in Parliament.	
838	17	0	Publishing average Price of Brown or Muscovado Sugar for Two Years to 1st <i>Oct.</i> 1809.	
289	19	8	Extra Expences in preparing Returns of Non-resident Clergy for Two Years to 25th <i>March</i> 1808.	
278	6	6	To Dr. <i>T. B. Clarke</i> for Trouble relative to Act for enforcing Residence to 5th <i>July</i> 1809.	
324	18	6	Expences in making Road from <i>Contin</i> to <i>Ullapool</i> .	
1,160	12	0	Officers for levying Tallies in Exchequer from 5th <i>July</i> 1808 to 5th <i>April</i> 1809.	
114	14	6	To discharge Bill from <i>Van Diemen's Land</i> .	
1,474	18	0	Expences of Commissioners of Military Enquiry.	

6,266	12	0	To make good Money issued out of Civil List	Horse Patrol round the Metropolis for One Year.	For the Year 1810.
717	18	0		Expences of Furniture for <i>India</i> Board at <i>Dorset</i> House.	
57,948	14	6		Royal Military College, 25th <i>Dec.</i> 1809 to 24th <i>Dec.</i> 1810.	
25,898	4	5		Royal Military Asylum, <i>Chelsea</i> , from 25th <i>Dec.</i> 1809 to 24th <i>Dec.</i> 1810.	
9,463	14	0		Protestant Dissenting Ministers in <i>England</i> and <i>Ireland</i> , and <i>French</i> Refugees.	
958	8	0		<i>Thames</i> Police Office.	For the Year 1810.
706	17	2		Expences of Two Printing Presses, a Present to Regency of <i>Portugal</i> .	
882	8	5		Work done at House occupied by Board of Control.	
362	9	6		Preparing Journals of House of Lords to be printed.	
1,600,000	0	0		Discharging Interest on Exchequer Bills.	
2,000	0	0		To Capt. <i>G. W. Manby</i> , Reward for Invention for effecting Communication with Ships stranded.	For the Year 1810.
50,000	0	0		Inland Navigation by <i>Inverness</i> to <i>Fort William</i> .	
3,500	0	0		Printing 1,750 Copies of 62d Vol. of Journals of House of Commons.	
713	19	3½		Deficiency of the Grant of 1808 for printing the 60th Vol. of Ditto.	
22,200	0	0		Printing Votes, Bills, Reports, &c., of the House of Commons in 1810.	
2,805	17	3	To make good Money issued out of Civil List	Deficiency of Grant for Printing Ditto, for 1809.	For the Year 1810.
10,000	0	0		Reprinting Journals, &c. of House of Commons, in 1810.	
270	7	8		Deficiency for extraordinary Expences for Prosecutions, &c. relating to Coin in 1809.	
7,132	0	6		<i>British</i> Museum for General Purposes.	
12,500	0	0		Royal College of Surgeons to erect Theatre, &c.	
20,125	2	11½		(Issued out of Civil List) to discharge Bills from <i>Sierra Leone</i> .	For the Year 1810.
16,500	0	0		Towards building Mint on <i>Tower Hill</i> .	
8,000	0	0		Repairs and completing <i>Marshalsea</i> Prison.	
21,000	0	0		Lazaretto at <i>Chetney Hill</i> .	
17,500	0	0		Extra Contingencies of the Three Secretaries of State.	
14,000	0	0		Extra Charge for Messengers of Ditto.	For the Year 1810.
175,000	0	0		Foreign and Secret Service.	
5,000	0	0		Works at the House of Lords.	
40,000	0	0		To discharge Bills from <i>New South Wales</i> .	
110,000	0	0		Deficiency of Grant of the Year 1809 for Salaries to Officers of Houses of Lords and Commons and Serjeant at Arms.	

5,000	0	0	Fees on passing Public Accounts for the Year 1810.
3,396	8	0	<div> <div>issued out of Civil List.</div> <div>To the Counsel to Chairman of Committees for House of Peers during the Two last Sessions.</div> </div>
1,500	0	0	
10,000	0	0	Towards Repair of <i>Henry VII's</i> Chapel.
46,788	10	1	Towards improving Harbour of <i>Holyhead</i> .
			Building and Maintenance of } For the Year 1810.
			Naval Asylum.
25,000	0	0	Rebuilding Public Edifices in <i>Trinidad</i> , destroyed by Fire in 1808.
5,500	0	0	Board of Agriculture.
1,000	0	0	Veterinary College.
13,727	0	0	Purchase of <i>C. F. Greville's</i> Collection of Minerals.
2,817	19	7	Printing 1,250 Copies of Volumes 38. and 39. of the Lords' Journals.
1,564	1	4	Printing 1,250 Copies of Calendar of Lords' Journals from <i>Henry VIII.</i> to 28th Jan. 1808.
1,550	0	0	For Outstanding Demands for Works done at House of Parliament, in 1810.
7,716	0	0	For Rebuilding Light-house, &c. at <i>Heligoland</i> , in 1810.
521	15	0	Towards Expences of exploring Interior of <i>Africa</i> .
8,844	9	0	For Improvements near to <i>Westminster Hall</i> , &c. under 46 G. 3. c. 89.
21,000	0	0	Compensation to Commissioners of Publick Expenditure in certain Military Departments, for two Years.
8,000	0	0	Compensation to Commissioners of <i>Windfor Forest</i> .
3,000	0	0	The National Vaccine Establishment.
44	11	0	<div> <div>To make good Money issued out of Civil List</div> <div> <div>To discharge a Bill drawn by the Governor of <i>Fort George</i>.</div> <div>Expences of Prison at <i>Sheerness</i>.</div> <div>Examining and investigating <i>East India</i> Accounts for one Year, to 7th Sept. 1809.</div> <div><i>Thames</i> Police Office.</div> <div>Preparing 38th and 39th Volumes of the Lords Journals for the Press.</div> <div>Stationary sent to <i>Cape of Good Hope</i>, in 1808.</div> <div>Horse Patrol for one Quarter, to 5th April 1810.</div> <div>To Messrs. <i>Gurney</i> Expences on Committee of the Houses of Parliament, in Session 1809.</div> </div> </div>
389	16	0	
426	12	0	
316	16	0	
249	8	0	
336	10	0	
1,546	17	0	
371	12	0	
100,000	0	0	
4,034	5	0	<div> <div>Issued out of Civil List.</div> <div> <div>To Special Constables during the late Disturbances.</div> <div>To Representatives of the late <i>Charles Morris</i>, Surveyor General of Lands for <i>Nova Scotia</i>, in consequence of under Computation in his Accounts.</div> </div> </div>
193	13	6	

	12,000	0	0	To Commissioners for Sale and Redemption of Land Tax for Services since 1799.	
	5,696	11	8	Military Roads in <i>North Britain</i> .	
XXIV.	10,000	0	0	Roads and Bridges in High-lands in <i>Scotland</i> , under 43 G. 3. c. 80.	For the Year 1810.
XXV.	<i>Irish Currency.</i>			[In <i>Ireland</i> .]	
	200	0	0	Examinator of Corn Bounties for keeping Accounts.	
	250	0	0	Inspector General of Imports and Exports, preparing Accounts of <i>Ireland</i> .	
	200	0	0	First Clerk of Ditto, preparing Accounts.	
	200	0	0	Examinator of Excise, Ditto.	
	150	0	0	Assistant Examinator of Excise, Ditto.	
	200	0	0	Clerk in Auditor's Office Exchequer, Ditto.	
XXVI.	25,000	0	0	Criminal Prosecutions and other Law Expences in <i>Ireland</i> , from 5th Jan. 1810, to 5th Jan. 1811.	
	1,200	0	0	Printing &c. 250 Copies of Publick General Acts 50 G. 3.	
	2,500	0	0	Apprehending Publick Offenders.	
	9,429	18	0	Non-conforming Ministers.	From 5th Jan. 1810, to 5th Jan. 1811.
	1,047	10	2	Expence of Pratique in the Port of <i>Dublin</i> .	
	3,791	0	0	Support of Seceding Ministers from the Synod of <i>Ulster</i> .	From 25th March 1810, to 25th March 1811.
	3,500	0	0	Incidents of the Treasury.	For one Year ending 5th Jan. 1811.
	1,086	0	0	Clothing Heralds, &c.	For three Years from 17th March 1810.
	740	0	0	Clothing Battle Axe Guards from 1st June 1810, to 1st Dec. 1811.	
	10,500	0	0	Proclamation and Advertisements in <i>Dublin Gazette</i> , &c.	From 5th Jan. 1810, to 5th Jan. 1811.
	25,000	0	0	Civil Buildings	
	14,662	0	0	(<i>British</i>) Completing <i>Ardglass</i> Pier.	
	12,000	0	0	(<i>Irish</i>) Draining Bogs.	
	22,158	0	0	Printing, &c. for Secretaries Office, and other Publick Offices in <i>Dublin Castle</i> .	From 5th Jan. 1810, to 5th Jan. 1811.
	3,082	0	0	Salaries of Lottery Offices, for one Year ending 24th Jan. 1810.	
	35,000	0	0	Harbour of <i>Howth</i> , Works at	
	216,000	0	0	(<i>British</i>) Purchase of Duties of Butlerage and Prizage.	
	7,500	0	0	(<i>British</i>) Allowance to Commissioners for Enquiries into Fees and Abuses.	
XXVII.	10,000	0	0	(<i>Irish</i>) Board of First Fruits for building and rebuilding Churches, &c.	From 5th Jan. 1810, to 5th Jan. 1811.
	10,000	0	0	<i>Dublin Society</i> for promoting Husbandry, &c.	

	5,000	o	o	Farming Society of <i>Ireland</i> .	From 5th <i>Jan.</i> 1810, to 5th <i>Jan.</i> 1811.
	21,600	o	o	Trustees of the Linen Ma- nufactures.	
	9,805	o	o	Commissioners for making wide and convenient Streets in <i>Dublin</i> .	
	50,000	o	o	Trustees and Commissioners of First Fruits, towards building, &c. Churches, Glebe Houses, &c.	
XXVIII.	14,585	o	o	<i>Hibernian</i> School for Sol- diers' Children.	
	47,928	o	o	House of Industry, Asylum and Penitentiaries in <i>Dublin</i> .	
	3,256	o	o	<i>Hibernian</i> Marine Society in <i>Dublin</i> .	
	1,577	o	o	Female Orphan House, near <i>Dublin</i> .	
	8,973	o	o	Roman Catholic Seminary.	
	37,575	o	o	Foundling Hospital, in <i>Dublin</i> .	
	2,000	o	o	<i>Cork</i> Institution.	
	1,918	o	o	Association for discounte- nancing Vice.	From 5th <i>Jan.</i> 1810. to 5th <i>Jan.</i> 1811.
	800	o	o	Commissioners of Charita- ble Donations.	
	7,946	o	o	<i>Westmoreland</i> Lock Hos- pital in <i>Dublin</i> .	
	5,522	o	o	Sir <i>Patrick Dunn's</i> Hos- pital.	
	2,519	o	o	Lying-in Hospital.	
	1,000	o	o	Fever Hospital in <i>Cork</i> Street, <i>Dublin</i> .	
	500	o	o	Doctor <i>Stevens's</i> Hospital.	
	29,428	o	o	Incorporated Society for Promoting <i>English</i> Pro- testant Schools.	
XXIX.	Supplies shall be applied only to the Purposes authorized, &c.				
XXX.	Rules for Application of Half Pay.				As in former Acts.
XXXI.	Application of Overplus of Sum, under 49 G. 3. c. 128. § 13. to reduced Officers.				

C A P. CXVI.

An Act to extend and amend the Term and Provisions of an Act of the Thirty ninth and Fortieth Year of His present Majesty, for the better Preservation of Timber in the *New Forest* in the County of *Southampton*, and for ascertaining the Boundaries of the said Forest, and of the Lands of the Crown within the same. [20th June 1810.]

‘ WHEREAS by an Act passed in the Thirty ninth and For- 39 & 40 G. 3.
‘ tieth Years of His present Majesty, intituled, *An Act for* c. 86. § 29.
‘ the better Preservation of Timber in the *New Forest*, in the County
‘ of *Southampton*; and for ascertaining the Boundaries of the said
Forest,

‘ *Forest, and of the Lands of the Crown within the same*; a Power is
 ‘ given to the Commissioners of the Treasury for Ten Years after the
 ‘ passing of that Act, to contract for the Exchange of any of the
 ‘ Waste Lands lying in the *New Forest*, belonging to the Crown,
 ‘ not exceeding the Value of Five hundred Pounds, for any other
 ‘ Land lying in the same Forest, belonging to Individuals of the
 ‘ Nature, Situation and Description in the said Act particularly
 ‘ specified: And whereas the Time limited for making such Ex-
 ‘ changes will expire on the Twenty eighth Day of *July* One thou-
 ‘ sand eight hundred and ten, and it is expedient to enlarge the same:’
 Be it therefore enacted by the King’s Most Excellent Majesty, by and
 with the Advice and Consent of the Lords Spiritual and Temporal,
 and Commons, in this present Parliament assembled, and by the Au-
 thority of the same, That the time for making such Exchanges under
 the said recited Act shall be extended to the Twenty eighth Day of
July One thousand eight hundred and eleven, and all Powers, Pro-
 visions and Directions contained in the said recited Act, relative to
 such Exchanges, shall be and continue in force for such extended
 Period.

Extended to July
28th 1811.

89 & 40 G. 3.
c. 86. § 12.

† *Sic.*

‘ II. And whereas by the said Act it was, amongst other things,
 ‘ enacted, that the Commissioners named in the said Act should ascer-
 ‘ tain the Boundaries of the said Forest, and the Lands within the
 ‘ same, which belong to His Majesty, † they should cause a Map or
 ‘ Plan to be made of the said Forest; in which Map or Plan the
 ‘ Boundaries of the said Forest, and the Lands belonging to His
 ‘ Majesty within the same, as ascertained by the said Commissioners,
 ‘ should be accurately and distinctly marked, set out and distin-
 ‘ guished; and the Lands within the said Forest belonging to other
 ‘ Persons should also be marked and distinguished in the said Map or
 ‘ Plan, so far as the said Commissioners should be able to ascertain
 ‘ the same; and that such Map or Plan should be certified, and de-
 ‘ posited as therein mentioned; and that after such Map or Plan
 ‘ should have been so made and completed, certified and deposited
 ‘ amongst the Records of the Court of Attachments of the said
 ‘ Forest, all unlawful Inclosures, Purprestures, Encroachments and
 ‘ Trespasses whatsoever within the said Forest, should and might be
 ‘ enquired of by the Verdurers of the said Forest in the Court of At-
 ‘ tachments of the said Forest, and the Person or Persons guilty of
 ‘ any such Inclosure, Purpresture, Encroachment or Trespass, should
 ‘ and might be prosecuted for the same in the said Court; and upon
 ‘ Proof being made thereof by the Oath of One credible Witness,
 ‘ the Verdurers of the said Forest, or any Two of them present at
 ‘ the said Court, should have Power, and they were thereby autho-
 ‘ rized to fine any Person or Persons so offending, for every such
 ‘ Offence, in any Sum not exceeding Ten Pounds, to be recovered
 ‘ and applied in the manner therein provided; and to order and
 ‘ direct every such Inclosure, Purpresture, Incroachment and Tres-
 ‘ pass, to be abated by the Regarders, Underkeepers, or other
 ‘ Officers of the said Forest, who should abate the same accordingly:’
 ‘ And whereas Two of the Commissioners authorized by the said Act,
 ‘ and a Commissioner named in a subsequent Act of the Forty first
 ‘ Year of His Majesty’s Reign, proceeded to ascertain and settle the
 ‘ Boundaries of the said Forest, and the Lands within the same,
 ‘ belonging to His Majesty, and have returned their Proceedings
 ‘ thereon

41 G. 3. (U. K.)
c. 108.

thereon pursuant to the said Act; but have not proceeded to cause such Map or Plan to be made pursuant to the said Act, and have represented that they were unable so to do: And whereas great Trespasses have been made in the said Forest, and the Verdurers are unable to proceed according to the said Act, for want of such Map or Plan: Be it therefore enacted, That notwithstanding such Map or Plan has not been made, certified and deposited as aforesaid, it shall be lawful for the Verdurers of the said Forest to proceed as directed and authorized by the said Act, in case such Map or Plan had been made, certified and deposited as aforesaid: Provided nevertheless, in case it shall be insisted by any Person or Persons who shall be proceeded against in the Attachment Court as directed by the said Act, that the Place wherein the Inclosure, Purpresture or Trespass shall be or alledged to have been made, was not within the Boundaries of the said Forest or within the Lands belonging to His Majesty within the said Forest, the said Verdurers shall not proceed to Conviction, but shall certify the Presentment of such Offence to His Majesty's Attorney General, to the end that such Proceeding may be had therein, by Information of Intrusion, or otherwise, as by Law might have been done before the passing of the said recited Act or of this Act.

Verdurers to proceed in ascertaining Boundaries without Map directed to be prepared under recited Act.

C A P. CXVII.

An Act to direct that Accounts of Increase and Diminution of Publick Salaries, Pensions and Allowances, shall be annually laid before Parliament; and to regulate and controul the granting and paying of such Salaries, Pensions and Allowances.

[21st June 1810.]

WHEREAS it is expedient that an Account of the Increase and Diminution of all Publick Salaries, and of all Pensions and Allowances in the Nature of Superannuation or Rewards for Publick Services, should be annually laid before Parliament; and that Provision should be made for regulating and controuling the granting and paying of such Salaries, Pensions and Allowances: Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That between the First Day of *February* and Twenty fifth Day of *March* in every Year, if Parliament shall be sitting during any Part of such Period, or if Parliament shall not be sitting during any Part of such Period, then within Forty Days after the Commencement of the Session of Parliament in such Year, there shall be laid before both Houses of Parliament, an Account of every Increase and Diminution which shall have taken place within the preceding Year, ending on the First Day of *January*, in the Number of Persons employed in all Publick Offices or Departments, or in the Salaries, Emoluments, Allowances and Expences which may have taken place, or been paid, granted, received or incurred for and in respect of all Officers and Persons belonging to or employed in or by or in the Service of all Publick Offices or Departments, specifying the Amount and Nature thereof, and distinguishing in such Account every Increase and Diminution in the Amount of all Allowances or Compensations granted or allowed as retired Allowances or Superannuations

Amount of Increase and Diminution of Publick Salaries, laid before Parliament.

nuations to any Person or Persons having held any Office, Place or Employment in any such Publick Office or Department, or having been employed in any manner in any Publick Services under any such Office or Department, and specifying in every such Account the Time and Length of Service of every such Person, and the Amount of the Salary or Allowances received by such Person immediately preceding such Superannuation, and the Nature of his Services, and also specifying in every such Account the Grounds upon which every such Increase or Diminution in the Establishment of any such Publick Office or Department, or of any such Salary, Emolument, Allowance or Compensation, or Superannuation as aforesaid, shall have been made, granted or allowed.

In what Case only Compensation for Publick Services or Superannuations to be granted.

II. And be it further enacted, That no Compensation for any Office abolished, or special Allowance or Remuneration to any Person holding any Civil Employment in any Publick Office for any good Services, shall be charged upon the Incidents or any other Fund of any Publick Office or Department, and no Allowance or Compensation, in the Nature of any Superannuation or retired Allowance or Reward, to any such Person as aforesaid, in respect of his having held any Publick Office or Employment, or been engaged in any publick Service, (except such as may be granted by any Order of His Majesty in Council) shall be granted, paid or allowed, without the Concurrence of Three or more of the Commissioners of His Majesty's Treasury, to be signified by Warrant under their Hands, or by a Letter from One of the Secretaries to the said Commissioners, to the Officer or Officers at the Head of such Department, or by the Signature of such Three of the Lords Commissioners of the Treasury to the Instrument by which such Compensation, Allowance or Superannuation shall be granted.

Not to extend to Half Pay, &c.

III. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to any Half Pay or Allowance in lieu of Half Pay, or to any such Military or Naval Allowances or Pensions, as are granted under the Regulations of any Order of His Majesty in Council now in force in any of the respective Offices of the Secretary at War, the Master General of the Ordnance, or the Lords Commissioners of the Admiralty; except as hereinafter is provided with respect to the same.

Half Pay and Military and Naval Pensions laid before Parliament in separate annual Estimates.

IV. Provided also, and be it further enacted, That all Half Pay and Allowances in lieu of Half Pay in the Army, Ordnance, Navy or Marines respectively, and all Military and Naval Allowances and Pensions granted, or which shall hereafter be granted in the respective Offices of the Secretary at War, the Master General of the Ordnance, or Commissioners of the Admiralty respectively, under the Authority of any Order in Council, shall be laid before the Commons House of Parliament, in separate Estimates, with the ordinary Estimates of the Army, Ordnance and Navy respectively, and shall be kept distinct from all Pensions, Allowances, Emoluments or Compensations in the Nature of Superannuations or retired Allowances, in any of the Civil Offices or Departments belonging to or connected with, or under the Superintendance and Controul of the Secretary at War, or the Master General of the Ordnance, or Lords Commissioners of the Admiralty.

Civil Allowances in Army, Ordnance and Navy

V. Provided also, and be it further enacted, That all Allowances, Compensations and Emoluments, in the Nature of any Superannuation,

tion, or retired Allowances, to any Persons in respect of having held any Publick Offices or Employments, or having been engaged in the Service of the Secretary at War, Master General of the Ordnance, or Lords Commissioners of the Admiralty respectively, in any of the Civil Departments of such respective Offices, shall annually be laid before the Commons House of Parliament, in separate Estimates, with the ordinary Estimates of the Army, Ordnance and Navy respectively, distinct from the respective Estimates of such Departments, and voted by Parliament.

laid before Parliament in separate annual Estimates.

VI. And be it further enacted, That from and after the passing of this Act, it shall not be lawful to charge the Fund arising from the Sale of old Naval Stores, with any Pension, Payment or Allowance, to any Person or Persons whatever; and an Account of the total annual Produce arising from the Sale of old Stores shall be annually laid before Parliament, and Credit shall be given for the total Produce of such Sales of old Naval Stores, in the Estimates of the Navy laid before Parliament in each Year.

Fund from Sale of old Stores not charged with Pensions.

VII. Provided always, and be it further enacted, That all such Pensions, Payments, and Allowances, which are now charged upon the Fund arising from the said Sale of old Naval Stores, shall remain charged and shall be paid out of the said Fund, until the same shall be included in the Estimates of the Navy; and all such Pensions, Payments and Allowances, shall be included in the Estimates of the Navy for the Year One thousand eight hundred and eleven, and shall be in like manner provided for in future Years, and shall be no longer deemed to be charged upon or payable out of the said Fund.

Proviso for Pensions, &c. now charged on said Fund.

VIII. And be it further enacted, That in every Office and Publick Department in which the Establishment of the Office is paid by any Fund created by the Fees received in such Office, all Allowances and Compensations paid or granted, or which shall be hereafter granted in the Nature of Superannuations or Allowances or Rewards, to any Persons in respect of any Publick Services, shall be charged in the first Instance, upon, and paid out of such Fund as aforesaid; and where such Fund shall be found deficient in any Office for the Payment of such Establishment and other Payments as aforesaid, an Estimate of such Deficiency shall be submitted annually to the Commons House of Parliament, and such Deficiency shall be supplied by a Vote of Parliament.

Deficiencies of Payments of Establishment, &c. out of Fee Fund of any Office, annually laid before Parliament.

IX. Provided always, and be it further enacted, That where any such Deficiency of the Fee Fund shall be found in the Offices of the Principal Secretary of State, of the Privy Council, and of the Treasury, the same shall be made good out of the Civil List; and that all Allowances and Compensations in the Nature of Superannuations, or Allowances and Rewards, to any Person in respect of any Publick Services in any Departments, the Establishment of which is wholly charged upon the Civil List, shall also be charged upon that Fund.

Deficiency of Fee Fund in certain Offices made good out of Civil List, &c.

X. Provided always, and be it further enacted, That in every Publick Office and Department in which there shall be no such Fee Fund as aforesaid, for the Payment of the Establishment of such Office or Department, not being an Office in Receipt of Revenue, or an Office the Establishment of which is wholly charged upon the Civil List, the Whole of such Allowances and Compensations in the Nature of Superannuations or Allowances or Rewards, to any Person

When no Fee Fund, the Whole annually laid before and provided for by Parliament.

son in respect of any Publick Services, shall annually be laid before the Commons House of Parliament by Estimate, and be voted and charged upon such Funds as Parliament shall direct.

Superannuations
or Allowances to
be paid without
Deductions, ex-
cept Property
Tax.

46 G. 3. c. 68.

XI. And be it further enacted, That all Allowances or Compensations hereafter to be granted or allowed as Allowances or Pensions or Superannuations, shall be paid to the Persons entitled to receive the same, without any Abatement or Deduction on account of any Rates or Duties imposed by any Act of Parliament, except the Duty granted by an Act passed in the Forty sixth Year of His present Majesty, intituled, *An Act for granting to His Majesty during the present War, and until the Sixth Day of April next after the Ratification of a Definitive Treaty of Peace, further additional Duties in Great Britain on the Rates and Duties on Profits arising from Property, Professions, Trades and Offices, and for repealing an Act passed in the Forty fifth Year of His present Majesty, for repealing certain Parts of an Act made in the Forty third Year of His present Majesty, for granting a Contribution on the Profits arising from Property, Professions, Trades and Offices, and to consolidate and render more effectual the Provisions for collecting the said Duties.*

Conditions on
which Allowances
granted.

XII. And be it further enacted, That the Condition and Proportion of such Allowances, Compensations, Remunerations or Superannuations, be as follows:

Where any Officer shall be under Sixty Years of Age, it shall not be lawful to grant any such Allowance, Compensation, Remuneration or Superannuation, unless upon Certificate from the Heads of the Department to which such Officer belongs, that such Officer is incapable from Infirmary of Mind or Body, to discharge the Duties of his Office; in which case, if he shall have served with Diligence and Fidelity in the publick Service for Ten Years, it shall and may be lawful to grant to him by way of Superannuation, any annual Sum not exceeding One third of the Salary and Emoluments of his Office:

If above Ten Years and less than Twenty, any such Sum not exceeding One Half of such Salary and Emoluments:

If above Twenty Years, any such Sum not exceeding Two Thirds of such Salary and Emoluments:

If such Officer shall be above Sixty Years of Age, and he shall have served Fifteen Years or upwards, it shall and may be lawful although there shall be no such Certificate of Incapacity, from Infirmary of Body or Mind, to grant to him by way of Superannuation, any annual Sum not exceeding Two Thirds of the Salary and Emoluments of his Office:

If Sixty five Years of Age or upwards, and he shall have served Forty Years or upwards, any such Sum not exceeding Three Fourths of such Salary and Emoluments:

If Sixty five Years of Age or upwards, and he shall have served Fifty Years or upwards, any such Sum not exceeding the Whole of such Salary and Emoluments.

32 G. 3. c. 82.

XIII. And whereas an Act was passed in the Twenty second Year of the Reign of His present Majesty, intituled, *An Act for enabling His Majesty to discharge the Debt contracted upon His Civil List Revenues, and for preventing the same from being in Arrear for the future by regulating the Mode of Payments out of the said Revenues, and by suppressing or regulating certain Offices therein mentioned, which*
are

' *are now paid out of the Revenues of the Civil List*: And whereas it
' is expedient that the said Act should be amended, so far as respects
' Pensions to Persons who shall have served the Crown in Foreign
' Courts, after the Expiration of their Services; Be it therefore
enacted, That no Pension or Allowance shall be granted to any Person
for or on account of having served the Crown in Foreign Courts,
within less than Ten Years from the Date of his first Appointment
in such Service, during which time he shall have served not less than
Three Years, and no such Allowance shall exceed Two thousand
Pounds *per Annum*, and every such Allowance shall abate if such
Person shall be appointed to any Civil Office or Employment under
the Crown of equal or greater Amount, and shall also be subject to a
proportionate Abatement if the Value of any such Office or Em-
ployment should be less than the Amount of such Allowance as
aforesaid.

Pensions of Per-
sons who have
served the Crown
in Foreign
Courts.

XIV. Provided always, and be it further enacted, That before
any such Pension or Allowance shall be granted, the Person in whose
Favour the same shall be granted shall not be less than Thirty five
Years of Age, and His Majesty's Secretary of State for Foreign
Affairs shall transmit to the Treasury a Certificate under his Hand,
that such Person has not within such Ten Years declined serving as a
Foreign Minister, except for sufficient Cause, in any Rank or Station
equal or superior to that in which he had last served, which Certificate
shall be recited in the Grant of such Pension or Allowance.

Age of Persons
receiving such
Pension.

C A P. CXVIII.

An Act for regulating the Offices of Registrars of Admiralty
and Prize Courts. [21st June 1810.]

' **W**HEREAS it is expedient that the Offices of Registrar of
' the High Court of Admiralty and Registrar of the High
' Court of Appeals for Prizes, and High Court of Delegates in
' *Great Britain*, should, after the Expiration of the Interests at
' present vested in Possession or Reversion in the same, be regulated;
' and that a Proportion of the Amount of the Fees, Emoluments and
' Profits, arising from or in the said Offices, after Payment of and
' defraying the Expences incident to the Duties of the said Offices,
' shall be carried to the Account of the Consolidated Fund: May it
therefore please Your Majesty that it may be enacted; and be it
enacted by the King's Most Excellent Majesty, by and with the Ad-
vice and Consent of the Lords Spiritual and Temporal, and Commons,
in this present Parliament assembled, and by the Authority of the
same, That after the Expiration of the Interests at present vested in
Possession or Reversion in the said Offices of Registrar of the High
Court of Admiralty, and of the High Court of Appeals for Prizes,
and High Court of Delegates, an Account shall be kept in the said
Offices respectively of all the Fees, Dues, Perquisites, Emoluments
and Profits received by or on account of or for such Registrars as
aforesaid, and the same shall be carried to and constitute a Fund for
the Payment and Discharge of all the Expences arising and incurred
in the Execution of the Duties of the said Offices; and out of the
Surplus which shall remain after Payment of such Expences, One
Third shall go and belong to the Registrar for himself and an Assistant
Registrar to be appointed by such Registrar, in case it shall be ne-
cessary

Account kept of
Fees in certain
Offices.

Application of
Fees.

cessary that there should be an assistant Registrar, and the remaining Two Thirds of such Surplus shall go to and make Part of the Consolidated Fund of *Great Britain*; and such Surplus of Two Thirds, or such Part of the same as shall not be retained for the Service of the Office according to the Directions hereinafter mentioned, shall be paid into the Exchequer by Quarterly Payments as hereinafter mentioned, and the Account of such Fees and Emoluments, and of all Expences paid thereout, shall at all times be open to the Inspection, Examination and Controul of the Lords Commissioners of His Majesty's Treasury for the time being.

Quarterly Accounts laid before Courts.
Registrar to retain Money for current Business of Office.

Balance paid quarterly into Exchequer.

Office of Registrar not executed by Deputy.

Judge of Admiralty may direct the Appointment of an Assistant Registrar.
His Salary.

His Majesty may alter Table of Fees.

II. And be it further enacted, That there shall be exhibited to the Court to which every such Registrar shall belong, Fourteen Days at least before each of the Quarter Days hereinafter mentioned, an Account of the Amount of such Surplus of Two Thirds for the current Quarter, and the same shall be verified by the Oath of such Registrar; and so much of such Amount as shall be directed by the Court shall be detained in the Hands of the Registrar for the current Business of the Office; and the Balance shall be paid into the Exchequer by such Registrar on or before the Fourth Day of *January*, the Fourth Day of *April*, the Fourth Day of *July* and the Ninth Day of *October*, in every Year next ensuing the exhibiting of any such Account to the Court as aforesaid.

III. And be it further enacted, That no Office of Registrar of the High Court of Admiralty, or of the High Court of Appeals for Prizes, or High Court of Delegates in *Great Britain*, shall, after the Expiration of the Interest now vested in Possession or Reversion therein, be granted for a longer Term than during Pleasure, nor be executed by Deputy; but the Person appointed Registrar, and receiving the Fees and Emoluments of the Office, shall by himself, or with an Assistant, in case an Assistant shall be necessary, in Person execute the Duties thereof.

IV. And be it further enacted, That it shall and may be lawful for the Judge of the High Court of Admiralty at any time when the State of the Business of the said Court, or in the High Court of Appeals for Prizes, or High Court of Delegates in *Great Britain*, shall appear to him to require the Appointment of an Assistant Registrar, to direct the Registrar to make such Appointment, either with or without the Request and Consent of the said Registrar, and such Assistant Registrar shall be entitled to receive not less than One Third, nor more than One Moiety of One Third of the said Surplus hereby enacted to belong to such Registrar and his Assistant, according as the said Judge may from time to time direct and appoint.

V. Provided always, and be it further enacted, that nothing in this Act contained shall be construed to restrain His Majesty, his Heirs and Successors, from regulating the Fees of the said Court, and from amending and altering the Table of Fees therein, as by His Majesty, his Heirs and Successors, with the Advice of His or their Privy Council, shall be thought necessary or proper; but that it shall and may be lawful for His Majesty, his Heirs and Successors, to make such Regulations, and in such manner with regard to the same, as if this Act had not been passed.

C A P. CXIX.

An Act for further amending and enlarging the Powers of an Act of the Forty sixth Year of His present Majesty, for consolidating and rendering more effectual the several Acts for the Purchase of Buildings, and further Improvement of the Streets and Places near to *Westminster Hall* and the Two Houses of Parliament.

[21st June 1810.]

‘ WHEREAS an Act was passed in the Forty sixth Year of the 46 G. 3. c. 89.
 ‘ Reign of His present Majesty, for consolidating and ren-
 ‘ dering more effectual the several Acts for the Purchase of Buildings
 ‘ and further Improvement of the Streets and Places near to *West-*
 ‘ *minster Hall*, and the Two Houses of Parliament: And whereas
 ‘ by an Act passed in the Forty eighth Year of His present Majesty, 48 G. 3. c. 137.
 ‘ for amending and enlarging the Powers of the said Act of the
 ‘ Forty sixth Year aforesaid, it was enacted, that it should and
 ‘ might be lawful to and for the Dean and Chapter of the Collegiate
 ‘ Church of *Saint Peter of Westminster*, by Indenture or Indentures
 ‘ under their Common Seal to be inrolled in One of His Majesty’s
 ‘ Courts at *Westminster*, to demise or lease to the Commissioners
 ‘ under the said Act of the Forty sixth Year of His present Majesty,
 ‘ or to any such Three of them as therein mentioned, for the Term
 ‘ of Ninety nine Years, to take Effect in Possession, all or any
 ‘ Part or Parts of the Ground, Houses and Buildings in the said
 ‘ reciting Act described or mentioned, and which are situate near to
 ‘ *Westminster Hall*, and the Two Houses of Parliament, and that
 ‘ every such Demise or Lease should and might be made at such
 ‘ yearly Rent or Rents, and under and subject to such Covenants,
 ‘ Conditions, Restrictions and Agreements as should be agreed upon
 ‘ between the said Dean and Chapter, and the Commissioners for
 ‘ executing the said Act of the Forty sixth Year aforesaid, but that
 ‘ no such Lease should be granted by the said Dean and Chapter
 ‘ until the same Commissioners should, under the Authority of the
 ‘ said Act of the Forty sixth Year aforesaid, have purchased the
 ‘ Rights and Interests of the respective Lessees or Under Tenants
 ‘ of the Hereditaments to be described therein respectively; and
 ‘ by the said reciting Act, it is further enacted, that notwithstanding
 ‘ any thing in the said Act of the Forty sixth Year aforesaid, con- § 1.
 ‘ tained to the contrary, all Houses, Buildings and Grounds which
 ‘ should thereafter be contracted to be leased to the Commissioners
 ‘ under the same Act or the now reciting Act, should be demised to
 ‘ any such Three of the same Commissioners as in the said Act of the
 ‘ Forty sixth Year aforesaid is mentioned, and after the same should
 ‘ have been so demised, should be, and the same were by the said
 ‘ reciting Act vested in the Lord High Treasurer of *Great Britain*,
 ‘ or in the Commissioners for executing the said Office of Lord
 ‘ High Treasurer for the time being, and should be employed for
 ‘ the Purposes of the same Act, subject to the Powers and Autho-
 ‘ rities in the said reciting Act contained: And it is thereby further
 ‘ enacted, that it should be lawful for the Commissioners under the § 2.
 ‘ said Act of the Forty sixth Year aforesaid, or any such Three of
 ‘ them as therein mentioned, from time to time to direct or contract
 ‘ for the taking down of any Houses and Buildings which should be
 ‘ leased § 3.
 ‘ § 4.

§ 5.

46 G. 3. c. 89.

Dean and Chapter of Westminster may demise to Commissioners of Woods, &c.

leased to them by virtue of the said reciting Act, and for the selling
 and disposing of the Materials of all such Houses and Buildings,
 and that all such Materials, and the Money arising from the
 Sale thereof, should be and were thereby vested in the Commis-
 sioners under the said Act of the Forty sixth Year aforesaid, and
 such Money should be applied and accounted for in the manner di-
 rected by the said last mentioned Act, touching the Money arising
 from the Sale of the Materials of the Houses and Buildings to be
 taken down in pursuance thereof: And it is thereby further
 enacted, that when any Hereditaments should have been demised
 by the said Dean and Chapter in pursuance of the said Act of the
 Forty sixth Year aforesaid, or of the now reciting Act, it should be
 lawful for the said Commissioners under the said Act of the Forty
 sixth Year aforesaid, or any such Three of them as therein men-
 tioned, from time to time, (by and with the Consent and Appro-
 bation of the said Lord High Treasurer, or of the Commissioners
 for executing the said Office of Lord High Treasurer for the time
 being, or of any Three or more of them) by any Deed or Deeds
 to be sealed and delivered by the Commissioners for the time being
 exercising that present Power, and to be enrolled in one of His
 Majesty's Courts at *Westminster*, to grant any Underlease or Un-
 derleases of all or any Part or Parts of the same Hereditaments
 to any Person or Persons whomsoever, for any Term or Number of
 Years, and also that it should be lawful for the same Commissioners,
 or any such Three of them as aforesaid, from time to time to grant
 any Lease or Leases for any Term or Terms of Years, of all or
 any other Part or Parts of the Grounds which had been or should
 be purchased in pursuance of the said Act of the Forty sixth Year
 aforesaid, or any of the Acts therein referred to, or of the said re-
 citing Act, and that every Lease which should be granted in pur-
 suance of the said reciting Act should and might be granted at such
 yearly Rent or Rents, and under and subject to such Covenants for
 building thereupon, and such other Covenants, Conditions, Restric-
 tions and Agreements, as the said Lord High Treasurer, or the
 Commissioners for executing the said Office of Lord High Treas-
 urer, or any Three or more of them should approve: And where-
 as, under the Powers of the said Act of the Forty sixth Year
 aforesaid, the Commissioners of that Act have purchased all the
 Rights and Interests of the respective Lessees or Undertenants of
 all the Houses and Buildings upon the Ground authorized by the
 said Act of the Forty eighth Year aforesaid, to be leased by the
 said Dean and Chapter as aforesaid, and have caused all the said
 Houses and Buildings to be pulled down, and have sold and disposed
 of the Materials thereof, and are now in possession of the same
 Ground: And whereas it is expedient that the Mode of leasing by
 the said Dean and Chapter should be altered, and that the Powers
 of the aforesaid Act of the Forty sixth Year aforesaid should be
 further amended and enlarged: May it therefore please Your Ma-
 jesty that it may be enacted; and be it enacted by the King's Most
 Excellent Majesty, by and with the Advice and Consent of the
 Lords Spiritual and Temporal, and Commons, in this present Par-
 liament assembled, and by the Authority of the same, That it shall
 and may be lawful to and for the said Dean and Chapter, and they
 are hereby authorized and empowered, notwithstanding any Statute
 or

or Statutes now in force to the contrary, by Indenture under their Common Seal, to be inrolled in one of His Majesty's Courts at *Westminster*, to demise or lease unto the Commissioners of His Majesty's Woods, Forests and Land Revenues for the time being, or to the Person or Persons for the time being executing the said Office of Surveyor General, all the Pieces or Parcels of Land or Ground authorized by the said Act of the Forty eighth Year aforesaid, to be demised by the said Dean and Chapter to the Commissioners of the said Act of the Forty sixth Year aforesaid, which Pieces or Parcels of Land or Ground are Part of the Possessions of the said Dean and Chapter, and are also Part of the Hereditaments particularly described in the Form of a Lease written or contained in the Schedule to this Act, and also all those Pieces or Parcels of Ground situate in the said Parish of *Saint Margaret, Westminster*, being Parts and Parcels of the old Streets, Lanes or Ways, and which by Order of the Commissioners of the aforesaid Acts are no longer to be used as such, but are to be taken into the new Plan of Building authorized by the said Acts, which last mentioned Pieces or Parcels of Ground are the Residue of the Hereditaments particularly described in the said Form of a Lease contained in the said Schedule, save and except out of the said Indenture of Lease so to be granted, all those Pieces or Parcels of Ground, being Part of the Possessions of the said Dean and Chapter, which by Order of the Commissioners of the said Act of the Forty sixth Year are to be laid into and to form Part of the new Streets, Lanes and Ways to be made and set out by Order of the said Commissioners, to hold the said Premises hereby authorized to be demised, with their Appurtenances unto the Commissioners of His Majesty's Woods, Forests and Land Revenues, or to the Person or Persons for the time being executing that Office, for the Term of Ninety six Years, to be computed from the Twenty fifth Day of *March* One thousand eight hundred and ten, at the yearly Rents of Four hundred and fifteen Pounds sixteen Shillings and Six pence, forty Shillings, and one Pound fourteen Shillings and Eight pence, and under and subject to the Covenants, Conditions and Agreements prescribed by the said Form of a Lease contained in the said Schedule, and upon Tender by the said Dean and Chapter of a Lease pursuant to the said Form and duly executed by them under their Common Seal unto the last mentioned Commissioners, or the Person or Persons for the time being executing the said Office, it shall and may be lawful to and for them, and they are hereby directed and required to accept and take such Lease, and to execute a Counterpart thereof, and to deliver such Counterpart so executed unto the said Dean and Chapter or their Successors.

II. And be it further enacted, That the last mentioned Commissioners for the time being shall be and they are hereby constituted a Corporation, by the Name of "The Commissioners of His Majesty's Woods, Forests and Land Revenues," in order to enable them to accept and take, in a Corporate Capacity by the Name aforesaid, the Lease hereinbefore authorized to be granted, and to execute a Counterpart thereof, and for other the Purposes of this Act, and by that Name, for the Purposes of this Act, they the said last mentioned Commissioners shall and may have and use a Common Seal, and shall and may sue and be sued, implead and be impleaded; but nothing in this Act or in such Lease contained shall extend to charge the

Premises authorized by 48 G. 3. c. 137. to be demised to Commissioners under 46 G. 3. c. 89, as described in the Schedule, and Pieces of Ground which are Part of the old Streets, &c. for the Term of 96 Years, at the yearly Rents herein mentioned.

Commissioners of Woods, &c. to be a Corporation, to accept Lease and execute Counterpart. May use a Common Seal, &c.

Person or Persons of him or them, or of his or their Heirs, Executors or Administrators, or his, their or any of their own proper Lands or Tenements, Goods or Chattels, with or for the Payment of all or any of the Rents or the Performance of all or any of the Covenants, Conditions or Agreements in the same Lease to be contained; but all and every such Action and Actions, Suit and Suits to be brought or prosecuted by the said Dean and Chapter for or in respect of the same Rents, Covenants, Conditions and Agreements, or any of them, shall be brought or prosecuted against the said last mentioned Commissioners and their Successors for the time being executing the said Office in their Corporate Capacity.

Treasury may,
by Warrants,
cause Debentures to be made
forth for paying
Dean and Chapter 419l. 11s. 2d.
yearly, &c.

III. And be it further enacted, That it shall be lawful for the Lord High Treasurer of *Great Britain* for the time being, or the Commissioners for executing the said Office of Lord High Treasurer now and for the time being, or any Three or more of them, and the Chancellor and Under Treasurer of the Exchequer for the time being, and he and they is and are hereby authorized and required by Warrant under his or their Hand or Hands to direct the Auditor of the Receipt of the Exchequer now and for the time being, to make forth and pass Debentures from time to time for paying unto the said Dean and Chapter and their Successors, or their Attorney lawfully constituted under their Common Seal, the said yearly Rents or Sums of Four hundred and fifteen Pounds Sixteen Shillings and Six pence, Forty Shillings and One Pound Fourteen Shillings and Eight pence, making together the Sum of Four hundred and nineteen Pounds Eleven Shillings and Two pence clear of all Deductions except the Property Tax, payable by Landlords as the same shall from time to time become due and payable, and also for paying from time to time unto the said Dean and Chapter and their Successors the Amounts of all such Damages and Costs as they shall recover in any Court of Law or Equity, against the said Commissioners of Woods, Forests and Land Revenues, and their Successors in any Action or Suit to be brought or prosecuted by the said Dean and Chapter or their Successors, for recovering the said Rents reserved by the said Indenture of Lease hercinbefore authorized to be granted, or for or upon, or in respect of the Covenants, Conditions or Agreements in the same Indenture contained, which said Warrants, and the Debentures to be made forth and passed thereupon, shall, from time to time, be a sufficient Authority to the several and respective Officers of the Receipt of the Exchequer now and for the time being, for the Payment of the said yearly Rents, clear of all Deductions, except as aforesaid, and for Payment of the Amount of such Damages and Costs which shall be so recovered as aforesaid, without any further or other Warrant to be sued for, had or obtained in that behalf, which said Sum of Four hundred and nineteen Pounds Eleven Shillings and Two pence, together with all such Damages and Costs as shall be recovered as aforesaid, shall, from time to time, be charged and chargeable upon the Fund commonly called the Consolidated Fund of *Great Britain*.

Warrants valid.

IV. And be it further enacted, That after signing of the said Warrants from time to time the same shall be good, valid and effectual in Law, according to the Purport and true Meaning thereof, and of this Act, and shall not be determinable or revocable by or upon the Demise of His Majesty (whom God long preserve) or any of His Successors,

Successors, or by or upon the Death or Removal of any of the said Commissioners of the Treasury for the time being, or the Lord High Treasurer or Under Treasurer, or by or upon the Determination of the Power or Office or Offices of them or any of them.

V. And be it further enacted, That the Commissioners of the Treasury now and for the time being, and the Lord High Treasurer of the Treasury for the time being, Chancellor and Under Treasurer, Chamberlain and Barons of the Exchequer, and all other the Officers and Ministers of the Court of Exchequer, and of the Receipt thereof now and for the time being, shall, and they are hereby authorized and strictly enjoined and required to do without Fee or Reward all such Acts, Matters and Things as are hereinbefore directed and required, or shall be necessary to be done and performed by them or any or either of them, in order to render this Act and the several Payments hereby directed effectual. No Fees taken.

VI. And be it further enacted, That the Acquittance or Acquittances, Receipt or Receipts of the said Dean and Chapter, or their Successors, or of their Attorney lawfully constituted, under their Common Seal, for the several Sums hereby directed to be paid to them or their Attorney, shall be good and sufficient Discharges for the Payment of such several Sums, without any further or other Warrant to be sued for or obtained in that behalf; and that the said Sums and every Part thereof, shall be free and clear from all Taxes, Impositions and other publick Charges whatsoever (except as before excepted); and in case any of the Officers of the Receipt of His Majesty's Exchequer shall refuse or neglect to pay the said yearly Rents or Sums, or other Sums or any Part thereof, according to the Intent and Meaning of this Act, or to do any Act necessary to enable the said Dean and Chapter, or their Successors, or their Attorney lawfully constituted to receive the same, then the said Dean and Chapter, or their Successors, may from time to time sue, prosecute and implead such Officers, or any of them, or their respective Heirs, Executors or Administrators, by Bill, Complaint or Action of Debt, and shall or may recover Judgment, and sue out Executions thereupon against such Officers respectively, or their respective Heirs, Executors or Administrators, for the Amount of so much of such respective yearly Rents or Sums, or for the Amount of so much of such other Sums, for the Payment of which a Warrant is hereby authorized to be made as aforesaid, as shall be then due and owing to the said Dean and Chapter, or their Successors, and as shall have been in the Hands of the Officer or Officers of the Receipt of the Exchequer, at the time or times when Demand shall have been legally made of the Payment of the same yearly Rents or Sums, or of such other Sums as aforesaid, or any Part thereof, or for the Refusal or Neglect to do any Act necessary to be done by such Officer or Officers respectively, for enabling the Person or Persons entitled to the same Rents or Sums to receive the same accordingly. Acquittances of Dean and Chapter sufficient Discharges.

VII. And be it further enacted, That all those the aforesaid Pieces or Parcels of Ground hereinbefore mentioned to be Part of the old Streets, Lanes or Ways; and which by Order of the Commissioners of the aforesaid Acts is no longer to be used as such, but is to be taken into the new Plan of Building authorized by the said Acts, together with the Areas, Vaults and Appurtenances belonging to the same, or forming Part thereof, shall, from and immediately after Premises Part of old Streets, &c. taken into new Plan, vested in Dean and Chapter.

after the passing of this Act (but subject to the Direction hereinbefore contained for leasing the same, together with other Hereditaments, in the mean time, and until the said Lease thereof hereby directed to be made shall be made, and from and after the making of such Lease then subject thereto) be vested in and settled upon, and the same are hereby (but subject as aforesaid) vested in and settled upon the said Dean and Chapter, and their Successors, for ever; and the same shall be holden by them for ever as, and shall constitute Part of their Possessions in right of their said Collegiate Church, to all Intents and Purposes whatsoever.

Premises demised
employed for
Purposes of this
and recited Act.

VIII. And be it further enacted, That (notwithstanding any Thing in the said Act of the Forty sixth Year aforesaid contained to the contrary) all the aforesaid Pieces or Parcels of Ground which shall be demised to the said last mentioned Commissioners and their Successors by virtue of this Act, shall, after the same shall have been so demised, be employed for the Purposes of the aforesaid Act, subject to the Powers and Authorities in this Act contained.

Application of
Money arising
from Sale of
Materials.

IX. Provided always, and be it further enacted, That the Monies arisen from the Sale of the Materials of the Houses and Buildings lately standing on the Ground hereby authorized to be demised by the said Dean and Chapter as aforesaid, and which have been pulled down by the Direction of the Commissioners of the said Act of the Forty sixth Year aforesaid as hereinbefore mentioned, and which Monies have been received by the same Commissioners, or some of them, shall be applied and accounted for in the manner directed by the said last mentioned Act, concerning the Money arising from Sale of the Materials of the Houses and Buildings to be taken down in pursuance thereof.

Leases of Pre-
mises by Com-
missioners, with
Consent of
Treasury.

X. And be it further enacted, That after the said Hereditaments hereby authorized to be demised by the said Dean and Chapter to the said Commissioners of His Majesty's Woods, Forests and Land Revenues, for the Term of Ninety six Years, shall be so demised as aforesaid, it shall be lawful for the Commissioners under the said Act of the Forty sixth Year aforesaid, or any such Three of them as therein mentioned, with the Consent and Approbation of the said Lord High Treasurer, or of the Commissioners for executing the said Office of Lord High Treasurer for the time being, or any Three or more of them, testified in Writing under his or their Hands, to contract and agree by Writing under the Hands and Seal of them the said Commissioners under the said Act of the Forty sixth Year aforesaid, or any such Three of them as therein mentioned, for the granting of any Underlease or Underleases of all or any Part or Parts of the same Hereditaments to any Person or Persons whomsoever, for any Term not exceeding Ninety five Years, and Three Quarters of a Year, computed from the said Twenty fifth Day of *March* One thousand eight hundred and ten; and also, that it shall and may be lawful to and for the said Commissioners of Woods, Forests and Land Revenues, and their Successors, and they are hereby directed and required, at the Request of the said Commissioners under the said Act of the Forty sixth Year aforesaid, or any such Three of them as therein mentioned, testified in Writing under their Hands, and with such Consent and Approbation as aforesaid, by any Deed or Deeds under the Common Seal of the said Commissioners of Woods, Forests and Land Revenue, and their Successors, and to be inrolled in one of
His

His Majesty's Courts of Record at *Westminster*, to grant, pursuant to or not pursuant to any such Contract or Agreement, any Underlease or Underleases of all or any Part or Parts of the same Hereditaments, to any Person or Persons whomsoever, for any Term or Number of Years, not exceeding the said Term of Ninety five Years, and Three Quarters of a Year, to be computed as aforesaid; and also that it shall be lawful for the said Commissioners, under the said Act of the Forty sixth aforesaid, or any such Three of them as therein mentioned, with such Consent and Approbation as last aforesaid, at any time or times after the passing of this Act, to contract and agree by Writing, under their Hands and Seals, for the granting of any Lease or Leases, for any Term or Terms of Years, of all or any Part or Parts of the Grounds which have been or shall be purchased in pursuance of the said Act of the Forty sixth Year aforesaid, or any of the Acts therein referred to, or in pursuance of the said Act of the Forty eighth Year aforesaid; and also that it shall and may be lawful to and for the said Commissioners, under the said Act of the Forty sixth Year aforesaid, or any such Three of them as therein mentioned, with such Consent and Approbation as aforesaid, by any Deed or Deeds to be sealed and delivered by them, and to be enrolled in one of His Majesty's Courts of Record at *Westminster*, to grant pursuant to or not pursuant to any such Contract or Agreement as last mentioned, any Lease or Leases of all or any Part or Parts of the same Hereditaments for any Term or Number of Years, and that every Underlease which shall be contracted for by the said Commissioners, under the said Act of the Forty sixth Year aforesaid, or any such Three of them as therein mentioned or granted by the said Commissioners of Woods, Forests and Land Revenue, and every original Lease that shall be contracted for or granted by the same Commissioners, or any such Three of them as aforesaid, in pursuance of this Act, shall and may be contracted for or granted at such yearly Rent or Rents, and under and subject to such Covenants for building, and such other Covenants, Conditions, Restrictions and Agreements as the said Commissioners, under the said Act of the Forty sixth Year aforesaid, or such Three of them as therein mentioned, and the Lord High Treasurer or the Commissioners for executing the said Office of Lord High Treasurer for the time being, or any Three or more of them, shall approve.

Terms.

Contract.

46 G. 3. c. 89.

46 G. 3. c. 89.

XI. And be it further enacted, That the annual Rents and Profits arising from any Grounds which shall be leased or contracted to be leased by the Commissioners of Woods, Forests and Land Revenues, and their Successors, or by the Commissioners under the said Act of the Forty sixth Year aforesaid, or any such Three of them as aforesaid, in pursuance of this Act or of the said recited Acts, or from any Houses or Buildings which shall be erected and built thereon, shall from time to time be received by any Person or Persons to be for that Purpose appointed by the Lord High Treasurer of *Great Britain*, or the Commissioners for executing the said Office of Lord High Treasurer for the time being, or any Three of them, and shall be paid into His Majesty's Exchequer, and carried to and made Part of the Consolidated Fund of *Great Britain*.

Rents to be paid as Treasury shall appoint.

XII. And be it further enacted, That nothing in this Act, or in the said Contracts or Leases hereby authorized to be entered into or made by the said Commissioners of the Forty sixth Year aforesaid,

Commissioners not answerable for Performance of Contracts.

Damages, &c.
paid by Treasury.

said, or any such Three of them as aforesaid, contained or to be contained, shall extend to charge the Persons or Person of all or any of the Commissioners executing all or any of the same Contracts or Leases, or the Heirs, Executors or Administrators of the same Commissioners, or any of them, or their or any of their own proper Lands and Tenements, Goods or Chattels, with or for the Performance of all or any of the Covenants, Conditions or Agreements in the same Contracts or Leases, or any of them, contained, on the Part of the same Commissioners, or any of them; but the Amount of all Costs, Charges, Damages and Expences which shall or may be recovered in any Suit or Suits of Law or Equity against them the said Commissioners, or any of them, or against their or any of their Heirs, Executors or Administrators, for or by reason or means of such last mentioned Contracts or Leases, or the Covenants, Conditions or Agreements therein contained, and also all other Costs, Charges, Damages and Expences which they the same Commissioners respectively shall bear, pay, expend or be put to, or which shall be occasioned to them respectively for or by reason or means of any Action or Actions, Suit or Suits, to be brought or prosecuted by or against them respectively, or against their respective Heirs, Executors or Administrators, upon or by reason of the same Contracts and Leases, or any of them, or the Covenants, Conditions or Agreements therein contained, or for or by reason or means of their Execution by them the same Commissioners respectively, of the Powers and Authorities to them given by the several Acts aforesaid, or the Acts therein recited, or this Act, and also all the Costs, Charges, Damages and Expences (over and beyond those hereinbefore provided for) which the said Commissioners of Woods, Forests and Land Revenues, and their Successors, or the Persons for the time being exercising that Office, shall bear, pay, expend or be put to, or which shall be occasioned to them for or by reason or means of the Lease hereinbefore directed to be accepted, and the Underleases hereinbefore directed to be made by him and them, or for or by reason or means of any of the Covenants, Conditions or Agreements therein contained, or any Action or Actions, Suit or Suits to be brought or prosecuted by or against him, them or any of them thereupon, shall respectively be paid and discharged at the Receipt of His Majesty's Exchequer by such Person or Persons and in such and the same manner as the yearly Rents to be reserved upon the said Lease hereby authorized to be made by the said Dean and Chapter are hereinbefore directed to be paid; and all Officers of His Majesty's Treasury and Exchequer, and all other Persons hereinbefore authorized and directed to do and perform the Acts necessary for authorizing the Payment and for Payment of the said Rents at the Receipt of His Majesty's Exchequer, are hereby authorized and required to do the like Acts for authorizing the Payment and for the Payment of the same Costs, Charges, Damages and Expences at the said Receipt of His Majesty's Exchequer; but before any Warrant for making a Debenture for Payment of any such Costs, Charges or Expences as last mentioned shall be made or issued, the Particulars of the Costs, Charges and Expences for the Payment whereof such Warrant and Debenture shall be necessary, shall, from time to time, be examined, and the Amount thereof settled and allowed by the Lord High Treasurer, or the Commissioners for executing the said Office of

of Lord High Treasurer for the time being, or any Three of them, and shall be so certified by Writing under his or their Hand or Hands.

XIII. And be it further enacted, That all those the aforefaid Pieces or Parcels of Ground, being Part of the Possessions of the aforefaid Dean and Chapter, and which are to be excepted out of the aforefaid Lease so to be granted to the said Commissioners of Woods, Forests and Land Revenue, and their Successors as aforefaid; and which, by Order of the Commissioners of the said Act of the Forty sixth Year aforefaid, are to be laid into, and to form Part of the new Streets, Lanes and Ways to be made and set out by Order of the same Commissioners shall, from and immediately after the passing of this Act, be divested out of the said Dean and Chapter, and their Successors, and be vested in the Committee Men appointed for the said Parish of *Saint Margaret*, under an Act of Parliament made and passed in the Eleventh Year of His present Majesty, intituled, *An Act to amend and render more effectual several Acts made relating to paving, cleansing and lighting the Squares, Streets, Lanes and other Places within the City and Liberty of Westminster and Parts adjacent*, to hold to such last mentioned Committee Men and their Successors, for the Use of the Publick, and for the Purposes of the said last mentioned Act, and the several Acts therein referred to; and they the same Committee Men and their Successors are hereby authorized and required and directed to accept and take the said last mentioned Pieces or Parcels of Ground under their Jurisdiction as Committee Men under the said Act of the Eleventh Year aforefaid, and to use and exercise over the same, and over the Owners and Occupiers of Houses, Buildings and Tenements adjoining and near thereto, all such Powers, Authorities and Remedies as they the same Committee Men are by the said Act of the Eleventh Year aforefaid, and the several Acts therein mentioned, authorized to use and exercise over the old Streets, Lanes and Ways now within the Jurisdiction of the same Committee Men under the same Acts, and over the Owners and Occupiers of Houses, Buildings and Tenements situate in the said old Streets, Lanes and Ways.

XIV. Provided always, and be it further enacted, That it shall and may be lawful at any time or times hereafter for the Commissioners for executing the said Act of the Forty sixth Year aforefaid, with the Consent of the Lord High Treasurer of *Great Britain*, or the Commissioners for executing the said Office of Lord High Treasurer for the time being, or any Three of them, to resume and take Possession of the said hereinbefore excepted Pieces or Parcels of Ground, or any Part thereof, for the Purposes of building thereupon, or laying out the same in Streets or other Improvements: Provided nevertheless, that in case the same or any Part thereof shall be built upon by their Authority, then, and in such case, so much of the same excepted Pieces or Parcels of Ground as shall be so resumed or taken and built upon, shall thenceforth again absolutely vest in the said Dean and Chapter, and shall be deemed to have been included in and demised by the Lease hereby authorized to be made, and shall and may be employed or disposed during the Residue then to come of the Term to be granted by the said Lease for the Purposes of the said Act of the Forty sixth Year aforefaid, in such and

Premises excepted out of Lease granted to Commissioners of Woods, and which are to form the new Streets, vested in Committee Men of *St. Margaret* by 11 G. 3. c. 22.

Commissioners under 46 G. 3. c. 89. may resume before mentioned Premises, and build thereon, &c. to vest in Dean and Chapter.

Dean and Chapter may grant to Commissioners of Woods, &c. a Lease of Premises herein described.

the same manner as if the same had not been excepted out of the Demise intended to be made by said Lease.

XV. And be it further enacted, That it shall and may be lawful for the said Dean and Chapter, and they are hereby authorized and empowered to grant to the said Commissioners of His Majesty's Woods, Forests and Land-Revenues, a Lease of all that other Piece or Parcel of Ground, with the Two Messuages thereon situate, and being on the South Side of *Great George Street*, one of which Messuages was lately used as the Adjutant General's Office, and the other of which Messuages was occupied by *Richard Frewin Esquire*, which said Piece or Parcel of Ground is in the Plan or Ground Plot annexed to the Form of the Lease written or contained in the Schedule to this Act marked or distinguished by a Green Colour, for a like Term of Ninety six Years from the said Twenty fifth Day of *March* last, upon such Fine, and at such Rent as shall hereafter be agreed upon by and between the said Dean and Chapter, and the same Commissioners under the said Act of the Forty sixth Year aforesaid, which said last mentioned Lease shall in all other respects be in the same Form as the Law written or contained in the Schedule to this Act, and all and every the Powers, Authorities, Directions, Penalties, Clauses, Matters and Things hereinbefore enacted with respect to making the Lease written or contained in the said Schedule, and for the Issue and Recovery of the Rent, and Damages for underletting the said Premises and for building thereon, or otherwise disposing thereof; and all other Powers, Authorities, Directions, Matters and Things whatsoever, hereinbefore enacted, shall be in full force, and be duly observed in relation to the Lease by this Enactment authorized to be granted, and the Ground and Premises to be thereby demised as fully and effectually to all Intents and Purposes whatsoever as if the same or the like Powers, Authorities, Directions, Penalties, Clauses, Matters and Things were particularly repeated and re-enacted with respect to such last mentioned Lease, Ground and Premises.

[*The SCHEDULE to which the foregoing Act refers, contains the Form of the Indenture of Lease authorized to be granted by the Dean and Chapter of Westminster.*]

LOCAL AND PERSONAL ACTS

TO BE JUDICIALLY NOTICED;

OR PRINTED COPIES WHEREOF ARE DECLARED TO BE EVIDENCE.

N. B.—*The Continuance of such of the following Acts as are temporary will be known (where it is not expressly stated) by referring to the following List, according to the corresponding Letter in the Title.*

- (a) *For 21 Years, &c. [i. e. to the End of the next Session] from a Day named in the Act.*
- (b) *For 21 Years, &c. from the passing of the Act.*
- (c) *For 21 Years, &c. after the End of the Term under former Acts.*

All Acts in this List, not distinguished by the Letters (q. P.) are PUBLIC ACTS; to each of which is annexed a Clause in the Form following:

“ And be it further enacted, That this Act shall be deemed
“ and taken to be a Public Act, and shall be judicially taken
“ Notice of as such by all Judges, Justices and others, without
“ being specially pleaded.”

(q. P.) *Quasi-Public Acts, i. e. Acts to each of which is annexed a Clause in the Form following:*

“ And be it further enacted, That this Act shall be printed
“ by the Printer to the King’s Most Excellent Majesty, and a
“ Copy thereof, so printed, shall be admitted as Evidence thereof
“ by all Judges, Justices and others.”

Cap. i.

An Act for making a fair and equal County Rate for the County of Cumberland.

[12th March 1810.]

• **W**HEREAS an Act was passed in the Forty seventh Year 47 G. 3. Sess. 2.
• of the Reign of His present Majesty, intituled, *An Act to* c. xxxii.
• *enable His Majesty to grant the Citadel Walls of the City of Carlisle,*
• *and certain Grounds adjoining thereto, to the Justices of the Peace*
• *for the County of Cumberland, for building Courts of Justice for the*
• *said County, and for other Purposes relating thereto:* And whereas
• the said Justices were authorized and empowered by the said Act
• to erect and build a proper Shire Hall and Court Houses with
• suitable Offices and Accommodations, for the more convenient
• holding the Assizes and for other publick Purposes for the said
• County, as should to them the said Justices appear expedient and
• necessary; and to pay, discharge and defray all the Expences, Costs
• and Charges attending the erecting and building of the same, and
• all incidental Expences in the effecting and carrying into Execution
• the several Purposes of the said Act, by and out of the publick
• County

Sessions to make
Orders for Jus-
tices to meet in
their respective
Wards.

Justices to issue
Precepts for
Overseers to
attend their
Meetings, and
to produce Poor
Rates verified
on Oath.

County Stock or Rates of the said County, subject to such Restrictions and Provisoos as are therein contained: And whereas it is found that the said County Rates are unequal, and the Payment thereof falls upon the Occupiers of Messuages, Lands, Tenements and Hereditaments within the said County, in very unequal Proportions: For remedying whereof it is expedient that Power and Authority should be given to the Justices of the Peace for the said County of *Cumberland*, from time to time, at their General or Quarter-Sessions assembled, or at any Adjournment thereof, to make a fair and equal County Rate for all the Purposes to which the County Stock or Rate is by Law applicable, and for that Purpose to assess and tax respectively and in due Proportion, all and every the Parishes, Townships, Liberties, Precincts, Villages, Hamlets and Places within the said County, according to the annual Rent or Value of the Messuages, Lands and Tenements therein, for and towards the same; but which cannot be effected without the Authority of Parliament: May it therefore please Your Majesty, that it may be enacted; and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, it shall and may be lawful to and for the Justices of the Peace for the said County of *Cumberland*, or the major Part of them, at any of their General or Quarter-Sessions of the Peace to be holden for the said County, or at any Adjournment thereof, and they are hereby authorized and empowered from time to time, and at all or any time or times thereafter, as often as it shall appear to them proper or expedient, to rate and assess all Messuages, Lands, Tenements, Hereditaments and other Property rateable to the Poor within the said County, to the full and fair annual Value thereof according to their Judgment, not exceeding Eight Pence in the Pound upon such annual Value in any One Year, and to levy and raise the same in such manner as the County Rates are now by Law and by this Act hereinafter directed to be raised and levied, to be applied and disposed of by the said Justices in the same manner and for the same Purposes as they now are authorized and empowered by Law to dispose of and apply the County Stock or Rate; and for the better enabling the said Justices to make such fair and equal Rate, it shall and may be lawful to and for the said Justices, or the major Part of them, at their General or Quarter-Sessions of the Peace to be holden next after the passing of this Act, or at any Adjournment thereof, and afterwards from time to time and at all or any time or times hereafter at any General or Quarter-Sessions of the Peace, or at any Adjournment of the same respectively, and as often as they shall think expedient, and they are hereby authorized and empowered from time to time to make an Order or Orders for the Justices of the Peace acting in and for the said County of *Cumberland*, to meet from time to time within the several Wards and Divisions of the said County for which they respectively act; and any Two or more Justices assembled at any such Meeting, shall from time to time issue their Precepts under their respective Hands and Seals to all and every the Overseers of the Poor as well within the Cities, Boroughs or Franchises as otherwise, within such their respective Wards or Divisions, thereby commanding them to attend at a Day and Place or Days and Places, to be named and appointed

appointed for that Purpose by such Precepts, and before the then next General or Quarter-Sessions to be holden in and for the said County of *Cumberland*, and to return and produce to the Justices or Justice then and there present the several Rates and Assessments made for the Relief of the Poor within the several Parishes, Townships, Liberties, Precincts, Hamlets, Villages and Places in the said County of *Cumberland*, for which such Overseers respectively act and are appointed, together with the Names of the several Persons and Parties charged with such Rates, and the Sum and Sums of Money rated or charged on such several Persons or Parties respectively; and every such Rate so returned shall be signed with the Name or Names of the Overseer or Overseers so making such Rate, and shall be verified upon Oath before such Justices or Justice at the time of delivering in the same by the Person or Persons so delivering them: Provided always, that the said Justices shall not, by virtue of any of the Powers by this Act given, rate or assess any Moors or Waste Grounds until Six Years after the same shall have been allotted, divided or inclosed.

II. And be it further enacted, That in case any Overseer of the Poor of any of the several Parishes, Townships, Liberties, Precincts, Villages, Hamlets or Places within the said County, shall neglect or make Default in making any such Returns in manner aforesaid, then, and in every such case, each and every such Overseer of the Poor so neglecting or making Default (without sufficient Excuse to be allowed by the said Justices so assembled) shall forfeit and pay such Sum and Sums of Money not exceeding Fifty Pounds, as shall or may be ordered or adjudged by the same Justices so assembled as aforesaid, by way of Penalty for such Neglect or Default; and in case any such Penalty shall not be forthwith paid, it shall and may be lawful to and for the said Justices so assembled, and they are hereby directed to issue their Warrant to the High or Petty Constable of the Ward or Division wherein such Parish, Township, Liberty, Precinct, Village, Hamlet or Place shall be situate, directing him to levy such Penalty upon the respective Goods and Chattels of each and every Overseer of the Poor of the Parish, Township, Liberty, Precinct, Village, Hamlet or Place so neglecting or making Default, in like manner and with such Powers and Authorities as the said High or Petty Constable is by a Statute made in the Twelfth Year of the Reign of His late Majesty King *George the Second*, intituled, *An Act for the more easy assessing, collecting and levying of County Rates*, vested with for levying on the Overseers of the Poor the Sum assessed for the County Rates.

Overseers neglecting to appear.

Penalty.

12 G. 2. c. 29.

III. And be it further enacted, That, in order the better to enable the said Justices of the Peace to form a correct Judgment of the real Amount of the Rental or Value of the Estates as aforesaid, the said Justices of the Peace for the said County, or any Three or more of them, or the Clerk of the Peace for the said County acting under their Authority, shall and may, and they and he are and is hereby authorized and empowered, from time to time as they or he may think necessary or expedient, to cause any of the Books of the Assessment of the Property or Income Tax, so far as the same relate or refer to or in any wise concern the Statement of Property to be set forth and stated in the Schedule (A.) contained in an Act passed in the Forty sixth Year of the Reign of His present Majesty, intituled,

Justices or Clerk of the Peace to call for Books of Property Tax Assessment.

An

46 G. 3: c. 65.

An Act for granting to His Majesty during the present War, and until the Sixth Day of April next after the Ratification of a Definitive Treaty of Peace, further additional Rates and Duties in Great Britain on the Rates and Duties on Profits arising from Property, Professions, Trades and Offices, and for repealing an Act passed in the Forty-fifth Year of His present Majesty, for repealing certain Parts of an Act made in the Forty third Year of His present Majesty, for granting a Contribution on the Profits arising from Property, Professions, Trades and Offices, and to consolidate and render more effectual the Provisions for collecting the said Duties; and the Rental or Valuation by which such Assessments are made, mentioned and described, within any Parish or Place within the said County, to be brought before them or him, and to take Copies of or Extracts from such Books or Assessments, or any Part or Parts thereof, as they, he, or any of them, shall think fit (such Compensation being made to the Party or Parties producing the same respectively as the said Justices, or any Three or more of them, shall think reasonable); and if any Person or Persons in whose Custody or Power any of the said Books or Assessments shall be, shall neglect or refuse to attend the said Justices or the said Clerk of the Peace with such Book or Books, Assessment or Assessments, or to permit them, him or any of them, to take Copies thereof or Extracts therefrom as aforesaid, then, and in every such case, every Person who shall so refuse or neglect shall, for every such Offence, forfeit and pay any Sum not exceeding the Sum of Ten Pounds, to be recovered by Distress and Sale of the Goods and Chattels of the Offender or Offenders, Person or Persons so making Default, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of any One Justice of the Peace for the said County, rendering the Overplus to the Party or Parties respectively on whose Goods and Chattels such Distress and Sale shall be so made as aforesaid, and the same Penalties or Forfeitures, when recovered and received, shall forthwith be paid to the Treasurer of the said County to be applied towards the Purposes of this Act.

Penalty.

Justices to certify Amount of Sums rated to the Sessions, who are authorized to make a Rate.

IV. And be it further enacted, That in case the Justice or Justices so acting as aforesaid within their respective Wards or Divisions, shall be of Opinion that such Rates and Assessments, or any of them so made and returned, upon Examination thereof, are the fair and just annual Value of the rateable Property mentioned therein, and are in other respects fair and equal, then the said Justice or Justices are and is hereby required from time to time to certify under their or his Hands or Hand the gross Amount of the respective Sums on which the said Rates are made and assessed in each Division or Ward in the said County of *Cumberland*, for which such Justices or Justice respectively act or acts, to the then next General or Quarter-Sessions of the Peace for the same County, to the Intent that at such General or Quarter-Sessions of the Peace or at some Adjournment thereof, or at some subsequent General or Quarter-Sessions or Adjournment thereof respectively, the Justices assembled at any such General or Quarter-Sessions or Adjournment thereof, may from time to time, and as often as they shall deem it necessary, and they are hereby authorized and empowered to make a Rate or Rates, Assessment or Assessments, upon all and every the Messuages, Mills, Lands, Tythes, Tenements and Hereditaments whatsoever, in and throughout

throughout the said County of *Cumberland*, rated or liable to be rated to the Poors Rates or Property Tax in the said County of *Cumberland*, in any Sum or Sums of Money not exceeding at any One Time the Sum of Two Pence in the Pound of the several full and fair annual Values of such Messuages, Mills, Lands, Tythes, Tenements and Hereditaments, and so from time to time, at any future General or Quarter-Sessions or Adjournment thereof, to continue such Rate or Rates, Assessment or Assessments, or to reduce, alter or vary the same as the said Justices at their said Sessions shall think necessary and proper, and to raise them again to any Sum not exceeding the said Rate of Eight Pence in the Pound in any One Year; and for the Purpose of levying and raising such Rate or Rates, Assessment or Assessments, it shall and may be lawful for them the said Justices, and they are hereby authorized and empowered to order Warrants to be from time to time issued in the same manner as now practised and authorized by Law for collecting the County Rates, to the several High Constables within the same County of *Cumberland*, ordering and requiring them to issue their Warrants to the respective Overseers of the Poor within their respective Divisions, to levy and collect and pay to the High Constables within a time to be named and limited in the Warrants to be issued from the Sessions as aforesaid, all such Rate or Rates, Assessment or Assessments, which each High Constable shall and he is hereby directed and required to pay at such time as shall be specified in such Warrant before the then next General or Quarter-Sessions of the Peace, to the Treasurer for the time being of the said County of *Cumberland*, to be applied and disposed of in such manner and for such Purposes as the County Stock or Rate is now by Law applicable; and in case any Overseer or Overseers of the Poor of any of the several Parishes, Townships, Liberties, Precincts, Villages, Hamlets or Places within the said County liable to pay the same, shall neglect, make Default, or refuse to pay the same within the time to be specified and limited for that Purpose as aforesaid to the High Constable of the Ward or Division within which such Overseer or Overseers so liable and neglecting to pay as aforesaid shall reside, it shall and may be lawful for any Justice of the Peace for the said County, upon Complaint thereof made by any such High Constable by Warrant under the Hand and Seal of such Justice, to levy the same by Distress and Sale of the Offender's Goods, not only in the said County of *Cumberland*, but in any other County, City, Town, Borough, Franchise or Place, (the Warrant or Warrants for levying the same being in such last mentioned Case first indorsed by some Justice of the Peace for the County, or Mayor or other Head Officer of the City, Town, Borough or Franchise where any Goods of the respective Defaulters shall be found) returning the Overplus (if any) after such Rate or Rates and the Charges of Distress and Sale shall be paid, to the Owner or Owners of the Goods so distrained and sold; and the Overseers and Overseer of any Parish, Township or Place maintaining its own Poor within the said County, shall and may and is and are hereby authorized and empowered to levy and raise by an equal Rate or Assessment upon all and every the Messuages, Mills, Lands, Tythes, Tenements and Hereditaments rateable to the Relief of the Poor within their respective Parishes, Townships or Places, such Sum and Sums of Money as shall be required and necessary in order to raise the several Sums assessed or

Rates when collected to be paid to Treasurer.

Equal Rates to be assessed on the respective Parishes, &c.

Two Thirds of
Rate to be borne
by Landlord,
and One Third
by the Tenant.

or imposed upon such Parishes, Townships or Places respectively, or to re-imburse such Overseers or Overseer such Sum or Sums of Money as they shall respectively have paid on account of the same, such Rate or Assessment to be paid by the Occupier or Occupiers for the time being of such Messuages, Mills, Lands, Tythes, Tenements and Hereditaments respectively: Provided always, That every Tenant or Occupier paying such Rate as aforesaid, may deduct and retain out of the Rent payable to his Landlord for the Premises in respect of which such Rate is payable, the full Amount of Two third Parts of all and every Sum and Sums of Money so paid, it being the Intent and Meaning of this Act that Two Thirds of such Rate shall be borne by the Landlord, and the remaining One Third only by the Tenant or Occupier, and every Landlord and Owner of such Messuages, Mills, Lands, Tythes, Tenements and Hereditaments shall and are hereby required to allow and make such respective Deductions and Payments accordingly; and every such Tenant or Occupier paying such Part of the said Rates or Assessments as are hereinbefore directed to be borne by the Landlord, or on whom the same shall have been levied, shall be and is hereby acquitted and discharged of and from so much Money as the same shall amount unto, as fully and effectually as if the same had been actually paid unto such Landlord or Landlords in Part of the Rent due from such Tenant.

Rates levied
by Distress.

V. And be it further enacted, That if any Person or Persons shall, after Demand made or Notice thereof in Writing, left at his last usual Place of Abode, refuse or omit to pay the Sum or Sums of Money rated or assessed upon him, her or them, by virtue of this Act, for or in respect of the Messuages, Mills, Lands, Tythes, Tenements and Hereditaments occupied by him, her or them as aforesaid for the Space of Ten Days, it shall and may be lawful for any Justice of the Peace for the said County, upon Complaint thereof made by any such Overseer or Overseers, by Warrant under his Hand and Seal to levy the same by Distress and Sale of the Defaulter's Goods, not only in the said County of *Cumberland*, but in any other County (the Warrant or Warrants for levying the same in such last mentioned Case being first indorsed by some Justice of the Peace for the County where any Goods and Chattels of the respective Person or Persons shall be found), returning the Overplus (if any) after such Rate and the Charges of the Distress and Sale shall be paid, to the Owner or Owners of the Goods so distrained and sold.

Power for
Justices where
no Overseers.

VI. Provided always, and it is hereby further enacted, That in all Cases and Places within the said County of *Cumberland* where there are no Overseers of the Poor, or where the Justices of the said County assembled for the Purpose of receiving such Returns from the said Overseers of the Rates and Assessments made for the Relief of the Poor within the several Parishes, Townships, Villages, Hamlets, Precincts and Places as aforesaid, shall be of Opinion that the Rates or Assessments produced to them at their respective Meetings are not fair and equal Rates and Assessments, or according to the full and fair annual Value of the rateable Property, it shall and may be lawful to and for the said Justices of the Peace for the said County assembled at such their respective Meetings, and they are hereby authorized and required, to summon before them any Two
or

or more of the substantial Inhabitants of such Places respectively for which there are no Overseers of the Poor, or where any of the Messuages, Tenements and Hereditaments liable to the Poor's Rates are not assessed, or in the Opinion of them the said Justices are not equally assessed and rated, or are not rated and assessed to the full or fair Value; or any other Person or Persons whom they the said Justices may think necessary and proper to give Evidence as to the fair annual Value of such Messuages, Tenements or Hereditaments, and then and there examine such Inhabitants or other Person or Persons respectively on Oath (which Oath any One or more of them the said Justices are hereby authorized to administer) as to the annual Values of such the respective Messuages, Mills, Lands, Tythes, Tenements and Hereditaments liable to the Poor's Rates, and thereupon to ascertain the Sums on which the Rate or Rates, Assessment or Assessments, to be made in pursuance of this Act, ought to be levied and collected.

VII. And be it further enacted, That if in the said County of *Cumberland* there be any extra-parochial, peculiar or other Places in which there are no Poor's Rate or Overseers of the Poor or other Officer necessary for the executing of the Provisions of this Act, and in which there are any Messuages, Mills, Lands, Tenements, Tythes or Hereditaments liable to the Poor's Rates, but not rated or assessed thereto, it shall and may be lawful for the said Justices of the Peace of the said County resident in or acting for the Division of the said County in which such extra-parochial, peculiar or other Places are situate, at any Petty Sessions to be holden by them within such Division as aforesaid, and they are hereby authorized and required to appoint One or more proper Person or Persons in the Nature of and to act as Overseer or Overseers or other such Officer as aforesaid, who is and are hereby required, authorized and empowered to act within and for such extra-parochial, peculiar or other Places respectively, for effecting the Purposes of this Act, and such Person and Persons respectively shall have the like Powers vested in him or them for effecting all such Purposes as fully and effectually to all Intents and Purposes as if he or they had been appointed Overseer or Overseers of the Poor or other Officer under any of the existing Statute Laws.

Collectors appointed for extra-parochial Places.

VIII. Provided always, and be it enacted, That if the Overseer or Overseers of the Poor of any Parish, Township, Liberty, Precinct, Village, Hamlet or Place in the said County, shall at any time or times have reason to believe that such Parish, Township, Liberty, Precinct, Village, Hamlet or Place is over-rated by any Rate to be made in pursuance of this Act, then, and in every such Case, it shall and may be lawful to and for such Overseer or Overseers of the Poor to appeal to the Justices of the Peace for the said County at their next General or Quarter-Sessions, or at any Adjournment thereof, against such Part of the Rate only as may affect the Parish, Township, Liberty, Precinct, Village or Place in which such Overseer or Overseers shall serve such Offices respectively; and the said Justices are hereby empowered to hear and finally determine the same, and to give such Appellant or Appellants such Relief as to them the said Justices in their Discretion shall appear fair, just and equitable: Provided nevertheless, that upon such Appeal no such Rate shall be quashed or destroyed in regard to any other Parish, Township,

Appeal.

Rate appealed against, not to be quashed in

respect of other
Parishes, &c.

Appeal.

Expences of
Appeals to be
borne by the
Parties.

Extending
Powers of former
Acts to this.

13 G. 2. c. 18.

Expences of Act
to be paid out of
the Rates.

Township, Liberty, Precinct, Village, Hamlet or Place, or Person or Persons assessed thereby, any thing in this Act, or any Law, Usage or Custom to the contrary thereof in any wise notwithstanding: Provided also, that if any Person or Persons shall think himself, herself or themselves aggrieved by any Act, Matter or Thing done in pursuance of this Act, or the Powers hereby given, then, and in every such Case, on giving Fourteen Days Notice to such Overseer or Overseers, he, she or they may appeal to the said Justices of the Peace for the said County, at their next General or Quarter-Sessions to be holden next after every such Cause of Appeal shall have arisen; and the Justices at such General or Quarter-Sessions assembled, or at any Adjournment or Adjournments thereof, shall and are here by empowered to hear and finally determine the same, and to give to all such Appellants such Relief as in their Discretion shall seem fair and just.

IX. And be it further enacted, That in case of any Appeals, Actions, Suits or Proceedings at Law as between Parish and Parish, or between any Person or Persons and any Parish or Parishes, or any Person or Persons respecting any Thing done in pursuance of this Act, or any other Act or Acts, relating to the County Rate, the Expences of all such Appeals, Actions, Suits or Proceedings at Law, shall be borne and paid by such respective Parishes and Persons, or such of them, and in such Proportions as the said Justices upon any Appeal in their General or Quarter-Sessions shall award and order, or as such Courts wherein such Actions, Suits or Proceedings shall be instituted shall adjudge and order, and shall not be charged to or be paid out of the County Rate.

X. And be it further enacted and declared, That all and every the Clauses, Powers, Directions, Provisions and Authorities contained in the said recited Acts made in the Twelfth Year of the Reign of King George the Second, and in the Forty seventh Year of the Reign of His present Majesty, and so much of an Act made in the Thirteenth Year of the Reign of King George the Second, intituled, *An Act to continue several Laws therein mentioned, for punishing such Persons as shall wilfully and maliciously pull down or destroy Turnpikes; for repairing Highways, or Locks, or other Works erected by Authority of Parliament for making Rivers navigable; for preventing Exactions of the Occupiers of Locks and Weirs upon the River of Thames Westward, and for ascertaining the Rates of Water Carriage upon the said River; for preventing frivolous and vexatious Arrests; and for the better securing the lawful Trade of His Majesty's Subjects to and from the East Indies, and for the more effectual preventing all His Majesty's Subjects trading thither under Foreign Commissions; and for limiting the Time for suing forth Writs of Certiorari upon Proceedings before Justices of the Peace, and for regulating the Time and Manner for applying for the same; for the better and more speedy Execution of Process within particular Franchises or Liberties, and for extending the Powers and Authorities of Justices of the Peace of Counties touching County Rates, to the Justices of the Peace of such Liberties and Franchises as have Commissions of the Peace within themselves, as relates to County Rates (save and except such Parts thereof as are hereby varied or altered), shall be good, valid and effectual for carrying this Act into Execution.*

XI. Provided always, and be it enacted, That all the Costs, Charges

Charges and Expences of obtaining this Act, and of carrying the several Powers and Purposes thereof into Execution, shall be borne and paid by the said County of *Cumberland* by, from and out of the Rates to be made in pursuance of this Act.

XII. And be it further enacted, That it shall and may be lawful for the Justices of the Peace for the said County, or the major Part of them, at any General or Quarter-Sessions of the Peace to be holden in and for the said County, or at any Adjournment thereof assembled, to borrow and take up at Interest such Sum and Sums of Money as they shall think fit for the Purpose of carrying the said recited Act and this Act into Execution, upon the Credit of the Rates arising by virtue of this Act, from the Whole of the said County, or from any Ward or Division thereof, and by Writing under their Hands and Seals or the Hands and Seals of any Two or more of them present at such General or Quarter-Sessions of the Peace or Adjournment thereof as aforesaid, to assign over the said Rates (the Charges of such Mortgages or Assignments to be paid out of the said Rates) to any Person or Persons as a Security or Securities for the Repayment of the several Sums respectively which shall be borrowed, with the Interest thereof; which Assignment shall be in the Words or to the Effect following; that is to say,

Power for Justices to borrow Money.

‘ BY virtue of an Act of Parliament made in the Fiftieth Year of the Reign of King *George* the Third, intituled, *An Act* Form of Assignment.
‘ [*here set forth the Title of this Act*] we
‘ of His Majesty’s Justices of the Peace in and for the County
‘ of *Cumberland*, present at the General Quarter-Sessions of the
‘ Peace holden at in and for the
‘ said County, on the Day of
‘ in consideration of the Sum of
‘ to the Treasurer of the said County in hand paid
‘ by do hereby grant, bargain, sell and
‘ demise unto the said Executors, Ad-
‘ ministrators and Assigns, the Rates arising by virtue of the said Act
‘ from the said County [*or, from the Ward or Division of*
‘ in the said County] to be had and holden from the
‘ Day of until the said Sum of
‘ with lawful Interest for the same shall be
‘ repaid and satisfied. Given under our Hands and Seals this
‘ Day of in the Year of our Lord

And Copies of all such Mortgages or Assignments shall be entered in a Book to be kept for that Purpose by the Clerk of the Peace for the said County of *Cumberland*, and all Mortgages or Assignments which shall be made in Manner and Form aforesaid, shall be good, valid and effectual to all Intents and Purposes; and all Persons to whom such Mortgages or Assignments shall be made as aforesaid, or who shall be entitled to the Money thereby secured, may from time to time, by Writing under their respective Hands and Seals, transfer their Right, Title, Interest or Benefit in and to the said Security, and the Principal and Interest thereby secured, to any Person or Persons whomsoever, by Indorsement on the Back of such Security in the Presence of One credible Witness; which Transfer shall be in the Words or to the Effect following; that is to say,

Form of
Transfer.

‘ I Do transfer the within Mortgage, and all Principal and Interest
‘ now due thereon, unto Executors, Administra-
‘ tors and Assigns. Witness my Hand and Seal this
‘ Day of

All which Transfers shall be produced and certified to the said Clerk of the Peace within One Calendar Month after the Date thereof, who shall cause an Entry or Memorial to be made thereof, containing the Dates and Names of the Parties and Sums of Money specified therein in a Book to be kept for that Purpose, for which the said Clerk of the Peace shall be paid the Sum of Five Shillings, and no more; and after such Entry made, every such Transfer shall entitle the respective Assignees or Persons to whom the same shall be made, their Executors, Administrators and Assigns, to the Benefit thereof and Payment thereon; and every such Assignee shall and may in like manner assign and transfer again, and so *toties quoties*; and it shall not be in the Power of any Person making such Assignment or Transfer, afterwards to make void, release or discharge the same Security, or any Money thereon due, or any Part thereof; and all Persons to whom such Mortgages, Assignments or Transfers shall be made as aforesaid, shall be in proportion to the Sums therein respectively mentioned Creditors on such Rates in equal Degree one with another, and shall have no Preference in respect to the Priority of advancing any such Monies, or the Dates of such Mortgages or Assignments.

Mortgagees to
be Creditors in
equal Degree,
and to be paid
off in Fourteen
Years.

XIII. And be it further enacted, That all Persons to whom such Mortgages or Assignments shall be made shall be, in proportion to the Sum or Sums therein respectively mentioned, Creditors on the said Rates and Assessments so to be mortgaged as aforesaid, in equal degree one with another, and shall not have any Preference with respect to the Priority of advancing any such Monies, or of the Dates of their respective Mortgages in respect to the Payment of the Interest thereof; and that the Principal thereof shall be paid in such Course and Order, according to Dates, Numbers or Advances, as the said Justices, or any Three of them, shall, from time to time, direct and appoint, but so that the whole Money to be secured upon the Credit of such Rates and Assessments shall or may be discharged within Fourteen Years from the time of passing this Act.

Notice of paying
off Securities

XIV. Provided always, and be it further enacted, That the Treasurer of the said County do and shall give Notice by Advertisement in the *Carlisle Chronicle*, or some other Publick Newspaper usually circulated within the said County, of the Intention of the said Justices to pay off the Principal of all or any of the said Securities, specifying the time when and what Securities are intended to be paid off, at least Three Calendar Months before the time of such intended Payment, and that from the time specified in such Notice all Interest upon such Securities respectively shall cease and be at an End; and the Principal thereof, together with the Interest due up to that Period, shall be placed in the Hands of the said County Treasurer, to be paid to the Owner or Owners of such respective Securities whenever the same shall be demanded.

Interest paid
Half-yearly.

XV. And be it further enacted, That the Interest of the Money which shall be borrowed on Mortgage as aforesaid, shall, from the time the respective Principal Monies so to be lent or paid shall have been

been advanced, be paid Half-yearly to the several Parties entitled thereto.

XVI. And be it further enacted, That it shall and may be lawful for the Justices of the Peace for the said County of *Cumberland*, in their General or Quarter-Sessions from time to time assembled, to order such Allowances and Compensation to be made to the Constables and other Persons from, by and out of the Monies to be collected and received under the Provisions of this Act, as to the said Justices shall appear reasonable, just and proper.

Power for Justices to make Allowance for Constables.

XVII. Provided always, and be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants, or left at his, her or their last or usual Place or Places of Abode One Calendar Month before such Action shall be commenced of such intended Action, signed by the Plaintiff or Plaintiffs' Attorney, specifying the Cause of such Action, nor shall the Plaintiff or Plaintiffs recover in such Action if Tender of sufficient Amends shall have been made to him, her or them, or to his, her or their Attorney, by or on behalf of the Defendant or Defendants before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful to and for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any time before Issue joined, to pay into Court such Sum of Money as he, she or they shall think fit, whereupon such Proceedings, Order and Judgment shall be had, made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Tender of Amends.

XVIII. And be it further enacted, That no Action or Suit shall be brought, commenced or prosecuted against any Person or Persons, for any thing done or to be done by virtue or in pursuance of this Act, after Six Calendar Months next after the Fact committed, or the Cause of such Action shall have arisen; and every such Action shall be brought and laid in the County of *Cumberland*, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead at his, her or their Election this Act specially, or the General Issue, and give this Act, and the special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance or by the Authority of this Act; and if upon the Trial of such Action or Suit it shall appear to have been so done, or that such Action or Suit shall have been brought before the Expiration of One Calendar Month next after such Notice shall have been given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the time limited for bringing the same as aforesaid, or be brought or laid in any other County than as aforesaid, then, and in every of the said Cases, the Jury shall find a Verdict for the Defendant or Defendants; and in all Cases where a Verdict shall be found for any Defendant or Defendants in such Actions or Suits, or the Plaintiff or Plaintiffs therein shall discontinue the same after the Defendant or Defendants shall have appeared thereto, or shall be nonsuited, or if, upon Demurrer, Judgment shall be given against such Plaintiff or Plaintiffs, then, and in every such Case, the Defendant or Defendants shall recover Treble Costs, and shall have such and the like Remedy for recovering the

Limitation of Actions.

General Issue, &c.

Treble Costs.

same as any Defendant or Defendants, hath or have for recovering Costs of Suit in any other Cases by Law.

Publick Act.

XIX. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded.

Cap. ii.

An Act for making and maintaining a Road from *Albion Street* in the Town of *Cheltenham* in the County of *Gloucester*, to *Bunch Lane* in or near the Village of *Bishop's Cleeve*, in the said County, to join the Turnpike Road leading from the Town of *Evesham* in the County of *Worcester*, to the said Town of *Cheltenham*. (b)

[12th March 1810.]

Cap. iii.

An Act for altering, improving and keeping in Repair the Road between the City of *Durham* and the Village of *Shotley Bridge*, in the County of *Durham*. (a)

[12th March 1810.]

Cap. iv.

An Act for erecting a Justiciary and County Hall and other Offices for the County of *Roxburgh*.

[12th March 1810.]

Cap. v.

32 G. 2. c. 49. An Act for repealing an Act, made in the Thirty second Year of His late Majesty, for better lighting and cleansing the Open Places, Streets, Squares and other Passages within the Part of the Manor and Liberty of *Norton Folgate* otherwise *Norton Folley*, in the County of *Middlesex*, which is Extra-parochial, and regulating the Nightly Watch and Beadles therein; and for the better Relief and Maintenance of the Poor thereof, and for other Purposes relating thereto.

[12th March 1810.]

Cap. vi.

7 G. 3. c. 83.
29 G. 3. c. 97. An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from *Shaddon Gate* near *Carlisle* to *Mulafide*, and to join the Turnpike Road at *Skillbeck*, in the County of *Cumberland*. (b)

[12th March 1810.]

Cap. vii.

28 G. 3. c. 90. An Act for repairing the Road from *Catterick Bridge* in the County of *York*, through the Towns of *Tarm*, *Stockton* and *Sedgefield*, to the City of *Durham* in the County of *Durham*, and for repealing an Act passed in the Twenty eighth Year of His present Majesty for repairing the said Road. (a)

[12th March 1810.]

Cap. viii.

14 G. 2. c. 28.
6 G. 3. c. 62.
28 G. 3. c. 106.
35 G. 3. c. 139. An Act for continuing the Term and altering and enlarging the Powers of several Acts of His late and present Majesty, for repairing the several Roads therein mentioned, so far as the said Acts relate to the Road from *Doncaster* through *Ferrybridge*, to the South Side of *Tadcaster Cross* in the County of *York*. (a)

[12th March 1810.]

[Former Tolls repealed, and new Tolls granted. Half additional Toll on Sundays.]

Cap.

Cap. ix.

An Act for inclosing Lands in the Township or Hamlet of *Chieveley*, in the Manor and Parish of *Chieveley*, in the County of *Berks.* (q. P.) [21st March 1810.]

“ Allotments and Compensation for Tithes. § 20—28.

Cap. x.

An Act to continue and amend Three Acts for the Improvement of the Port and Harbour of *Drogheda.* (c) [21st March 1810.] 20 G. 3. (I.) c. 39.
37 G. 3. (I.) c. 56.
48 G. 3. c. cvi.

Cap. xi.

An Act to enlarge the Term and Powers of Two Acts of His present Majesty, so far as the same relate to the Road from *Buckland Dinham* to *Radford Bridge*, and from *Midsomer Norton* to *Norton Saint Phillip*, and from *Kilmerston* to *Radstock* in the County of *Somerset.* (b) [21st March 1810.] 8 G. 3. c. 53.
29 G. 3. c. 101.

Cap. xii.

An Act for continuing the Term and amending Two Acts passed in the Twenty ninth and Thirty fifth Years of His present Majesty, for amending the several Roads therein described, so far as the said Acts relate to the District of Road from *Bury* to *Hastlingden*, and from thence to *Blackburn* and *Whalley*, all in the County Palatine of *Lancaster*; and also for making a Branch of Road from *Portfield* to the West End of the Town of *Padikam*, in the same County. (b) [21st March 1810.] 29 G. 3. c. 107.
35 G. 3. c. 144.

[Additional Trustees. Double Tolls on Sunday.]

Cap. xiii.

An Act for continuing the Term, and altering and enlarging the Powers of Two Acts, passed in the Tenth and Twentieth Years of His present Majesty, for repairing and widening several Roads leading from the Town of *Louth*, in the County of *Lincoln.* (b). [21st March 1810.] 10 G. 3. c. 109.
20 G. 3. c. 94.

[Additional Trustees. Former Tolls repealed, and new Tolls granted, Double Tolls on Sunday.]

Cap. xiv.

An Act for repairing, altering and improving the Road from *Titchfield* to *Cosham*, in the County of *Southampton.* (a) [21st March 1810.]

Cap. xv.

An Act for continuing the Term, and altering and enlarging the Powers of Two Acts, passed in the Twenty ninth and Thirty third Years of His present Majesty, for repairing and widening the Road from *Wakefield* to *Abberford* in the County of *York.* (b) [21st March 1810.] 29 G. 3. c. 86.
33 G. 3. c. 179.

[Former Tolls repealed, and new Tolls granted.]

Cap. xvi.

An Act for continuing the Term, and altering the Powers of an Act made in the Thirty fourth Year of His present Majesty, for making
E c 3 ing

ing and repairing several Roads leading across the County of *Stirling*. (b) [21st March 1810.]

[*Appointment of Trustees repealed. Tolls repealed as therein mentioned, and others granted. Pontage Duties repealed, and new Duties granted.*]

Cap. xvii.

28 G. 3. c. 86. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from the Bottom of *White-sheet Hill*, to the *Wilton Turnpike Road* at or near *Barford* in the County of *Wilts.* (c) [21st March 1810.]

[*Additional Trustees. Former Tolls repealed, and new Tolls granted.*]

Cap. xviii.

An Act for repairing the Road leading from the *Eynsford Turnpike Road* in the Parish of *Shorcham*, in the County of *Kent*, to the Turnpike Road leading from *Sevenoaks* to *Bromley*, in the said County. (b) [21st March 1810.]

Cap. xix.

An Act for better assessing and collecting the Poor and other Rates, in the Parish of *Lambeth*, in the County of *Surrey*; and regulating the Poor thereof. [24th March 1810.]

Cap. xx.

20 G. 2. c. 15. An Act to alter and amend Two Acts, passed in the Twentieth Year of His late Majesty and the Forty third Year of His present Majesty, for maintaining the Publick Conduits and other Water Works belonging to the Town of *Southampton*. [24th March 1810.]

43 G. 3. c. xxxii.

Cap. xxi.

9 G. 3. c. 47. An Act to continue and amend Two Acts of the Ninth and Thirtieth Years of His present Majesty, for repairing several Roads leading from the Borough of *Dorchester*, in the County of *Dorset*. (c) [6th April 1810.]

30 G. 3. c. 95.

Cap. xxii.

An Act for making and maintaining a Road from *Lower Saint Cross Mill Lane*, (on the Road from the City of *Winchester* to the Town of *Southampton*) to *Park Gate*, on the Road from *Southampton* to *Gosport*, in the County of *Southampton*. (a) [6th April 1810.]

Cap. xxiii.

7 G. 1. Stat. 1. An Act for better paving, lighting, cleansing and watching the Town of *Great Yarmouth*, in the County of *Norfolk*, and for removing Nuisances and Annoyances therein, and for making other Improvements in the said Town. [6th April 1810.]

c. 117 in part repealed § 39.

Cap. xxiv.

33 G. 3. c. 91. An Act to enable the Company of Proprietors of the *Ellesmere Canal* to extend the *Whitchurch Line* of the said Canal from *Sherryman's Bridge* to *Castle Well*, in the Town of *Whitchurch*, in the County of *Salop*; and for amending the several Acts for making the said Canal. [6th April 1810.]

36 G. 3. c. 71. 46.

41 G. 3. (U.K.)

c. lxx.

42 G. 3. c. xx.

44 G. 3. c. liv.

Cap.

Cap. xxv.

An Act for lighting and watching the Town of *Bishop Wearmouth* and *Bishop Wearmouth Pann*s, for cleansing, paving and regulating the Footpaths, and for removing and preventing Nuisances and Encroachments therein. [6th April 1810.]

Cap. xxvi.

An Act to amend an Act made in the Eighteenth Year of His present Majesty, for paving, cleansing, lighting and watching the Town of *Dover*, and for removing and preventing Nuisances and Annoyances therein. 18 G. 3. c. 76. [6th April 1810.]

Cap. xxvii.

An Act for paving, lighting, watching and cleansing the Town of *Sunderland* near the Sea, in the County of *Durham*; for removing the Market; for building a Town Hall or Market House; and for otherwise improving the said Town; and for establishing a Watch on the River *Wear*. [6th April 1810.]

Cap. xxviii.

An Act to revive and continue * the Term and Powers of an Act passed for empowering the Commissioners for paving, cleansing and lighting the Squares, Streets and Lanes within the City and Liberty of *Westminster* and Parts adjacent, to collect certain Tolls on *Sundays* upon the several Roads therein mentioned. * [7 Years, &c.] 5 G. 3. c. 13. [6th April 1810.]

Cap. xxix.

An Act for constructing a Pier or Harbour at or near the Town of *Kincardine*, in the County of *Pertb*. [6th April 1810.]

Cap. xxx.

An Act for regulating the New Market Place in the Town of *Halifax*, in the West Riding of the County of *York*. [6th April 1810.]

Cap. xxxi.

An Act for amending and rendering more effectual an Act, of the Ninth Year of His present Majesty, for embanking, draining and preserving certain Low Grounds in the Parish of *Laneham*, and other Parishes and Places therein mentioned, in the County of *Nottingham*. 9 G. 3. c. 104. pr. [6th April 1810.]

Cap. xxxii.

An Act to alter and explain an Act made in the Forty seventh Year of His present Majesty, to enable the Provident Institution to sue in the Name of their Managing Director, and to enrol Annuities. 47 G. 3. Sess. 1. c. xxxiv. [6th April 1810.]

Cap. xxxiii.

An Act to amend an Act made in the Twenty fifth Year of His present Majesty's Reign, for incorporating and regulating the *Clyde Marine Society*. 26 G. 3. c. 109. [6th April 1810.]
[Former Duties to cease, and new Duty granted.]

Cap. xxxiv.

14 G. 2. c. 31.
2 G. 3. c. 71.
29 G. 3. c. 98.

An Act for continuing and amending Three Acts, passed in the Fourteenth Year of His late Majesty, and Second and Twenty ninth Years of His present Majesty, so far as they relate to repairing the Road from *Dancaster* in the County of *York*, to *Salter's Brook* in the County of *Chester*. (b) [6th April 1810.]
[Additional Trustees. Former Tolls repealed, and new Tolls granted.]

Cap. xxxv.

7 G. 3. c. 104.
28 G. 3. c. 94.

An Act to continue the Term, and amend and enlarge the Powers of Two Acts, of His present Majesty, for repairing the Road from *Marchwiell*, in the County of *Denbigh*, through *Bangor*, *Worthenbury* and *Hanmer*, in the County of *Flint*, to a certain House therein mentioned in the Parish of *Whitchurch*, in the County of *Salop*; and from *Bangor* aforesaid to *Malpas*, in the County of *Chester*; and from *Redbrook* to *Hampton*, in the County of *Salop*: (a) [6th April 1810.]
[Additional Trustees. Former Tolls repealed, and new Tolls granted. Double Tolls on Sunday.]

Cap. xxxvi.

28 G. 2. c. 59.
21 G. 3. c. 99.
36 G. 3. c. 137.
43 G. 3. c. li.
repealed.

An Act for more effectually repairing the Road from the Town of *Blackburn* through *Padiham* and *Burnley* to *Colne*, in the County Palatine of *Lancaster*; and for continuing the same Road through *Glasburn* and *Silsden* to *Addingham* and *Cocking End*, in the West Riding of the County of *York*. (a) [6th April 1810.]
[Double Tolls on Sunday.]

Cap. xxxvii.

An Act for inclosing Lands in the Parish of *East Markham*, in the County of *Nottingham*. (q. P.) [6th April 1810.]
" Allotment and Compensation for Tithes. § 21.

Cap. xxxviii.

19 G. 3. c. 34.
repealed.

An Act to repeal an Act made in the Thirteenth Year of His present Majesty, for paving, lighting and cleansing the Town of *Brighthelmston*, in the County of *Suffex*, and removing and preventing Nuisances and Annoyances therein; for regulating the Market; for building and repairing Groynes to render the Coast safe and commodious; for landing Coal and Culm, and laying a Duty thereon, and for making other Provisions in lieu thereof; and for regulating Weights and Measures, and building a Town Hall. [18th April 1810.]

Cap. xxxix.

An Act for building a Bridge over the River *Wensum*, in the City of *Norwich*, to the Hamlet of *Thorpe*, in the County of the said City. [18th April 1810.]

Cap. xl.

20 G. 3. c. 51. or.

An Act for paving and otherwise improving the Streets and other Publick Passages within the Town of *Pontefrae*, in the County of *York*, for better supplying the said Town with Water, and for

for altering and amending an Act, passed in the Twentieth Year of His present Majesty, intituled, *An Act for dividing the Park of Pontefract, in the County of York, and for other Purposes therein mentioned.* [18th April 1810.]

Cap. xli.

An Act for watching, and more effectually lighting, cleansing and otherwise improving the Town of *Kingston upon Hull*, and the Liberty of *Trippett* and the Lordship or Precinct of *Myton*, in the Parish of the *Holy Trinity*, in the said Town; and for preventing Nuisances therein; and also for preventing Frauds and Impositions in the Quality, Measure and Carriage of Coals sold in the said Town and the Neighbourhood thereof. [18th April 1810.]

See 28 G. 2. c. 27,
2 G. 3. c. 70.
4 G. 3. c. 74.
28 G. 3. c. 55.

Cap. xlii.

An Act for better paving, lighting, cleansing, watching and otherwise improving the Town of *Lowestoft*, in the County of *Suffolk*. [18th April 1810.]

Cap. xliii.

An Act for providing an Additional Burial Ground for the Parish of *Saint Luke, Chelsea*, in the County of *Middlesex*. [18th April 1810.]

Cap. xliv.

An Act for further enlarging the Church Yard of the Parish of *Paddington* in the County of *Middlesex*. [18th April 1810.]

See 28 G. 3. c. 74,
33 G. 3. c. 48.

Cap. xlv.

An Act for better assessing and collecting the Poor and other Rates in the Parish of *Saint George the Martyr*, in the Borough of *Southwark*, in the County of *Surrey*, and regulating the Poor thereof. [18th April 1810.]

Cap. xlvi.

An Act for improving the Upper End of the *Barrier Bank*, on the North Side of the *Wash* of the *Hundred Feet River*, in the *Isle of Ely*, and Counties of *Cambridge* and *Huntingdon*. [18th April 1810.]

22 G. 2. c. 11.
32 G. 2. c. 13.
15 G. 3. c. 65.
17 G. 3. c. 65.
46 G. 3. c. xcvi.

Cap. xlvii.

An Act for improving the Lower End of the *Barrier Bank*, between *Salter's Lode* and *Welche's Dam Bridge*, in the *Isle of Ely*, and Counties of *Cambridge* and *Norfolk*. [18th April 1810.]

Cap. xlviii.

An Act for altering, amending and enlarging the Powers of an Act, passed in the Forty fifth Year of His present Majesty, for building a Bridge over that Part of the River *Rumney* which divides the Parish of *Rumney* in the County of *Monmouth*, and the Parish of *Roath* in the County of *Glamorgan*. [18th April 1810.]

45 G. 3. c. lxviii.

[Former Tolls repealed, and new Tolls granted. Double Tolls on Sunday.]

Cap.

Cap. xlix.

27 G. 2. c. 9.
14 G. 3. c. 115
36 G. 3. c. 130.

An Act to continue and amend Three Acts passed in the Twenty second Year of His late Majesty, and the Fourteenth and Thirty sixth Year of His present Majesty, for repairing the Road from *North Shields*, in the County of *Northumberland*, to the Town of *Newcastle upon Tyne*, and to make and repair certain additional Branches of Road communicating therewith. (b)

[18th April 1810.]

[Additional Trustees. Former Tolls repealed, and new Tolls granted.]

Cap. l.

32 G. 3. c. 39.

An Act to amend an Act passed in the Thirty second Year of His present Majesty, for building a Bridge over the River *South Esk*, at or near *Montrose*.

[18th April 1810.]

[Former Tolls to cease, and new Tolls granted.]

Cap. li.

An Act for enlarging the Powers granted by His Majesty to the Royal Institution of *Great Britain*, and for extending and more effectually promoting the Objects thereof. [18th April 1810.]

Letters Patent,
13th Jan.
40 G. 3.

‘ WHEREAS by Letters Patent under the Great Seal of *Great*
‘ *Britain*, bearing Date the Thirteenth Day of *January*, in
‘ the Fortieth Year of His present Majesty’s Reign; after reciting
‘ that several of His Majesty’s Subjects were desirous of forming
‘ a Publick Institution for diffusing the Knowledge and facilitat-
‘ ing the General Introduction of Useful Mechanical Inventions and
‘ Improvements, and for teaching by Courses of Philosophical Lec-
‘ tures and Experiments, the Applications of Science to the common
‘ Purposes of Life, His Majesty did give and grant that *George*
‘ *Earl of Winchelsea* and *Nottingham* and several other Persons therein
‘ named, and such other Persons as should be from time to time
‘ elected in manner thereafter directed, and their Successors, should
‘ for ever thereafter be by virtue thereof one Body Politick by the
‘ Name of “The Proprietors of the Royal Institution of *Great*
‘ *Britain* ;” and by the same Name have perpetual Succession, and
‘ for ever thereafter have Power to purchase, receive and possess
‘ any Goods and Chattels whatsoever, and (notwithstanding the
‘ Statute of Mortmain) to purchase, hold and enjoy to them and
‘ their Successors, any Lands, Tenements and Hereditaments what-
‘ soever, not exceeding at the time or times of purchasing thereof
‘ respectively the yearly Value, at a Rack Rent, of Two thousand
‘ Pounds in the Whole; and His Majesty’s further Will and Plea-
‘ sure was, that in case any Proprietor of the said Institution should
‘ be desirous of parting with his Right and Interest therein, and
‘ should in Writing notify the same to the Committee of Managers,
‘ to be appointed as therein is mentioned, then it should be lawful
‘ for the said Managers to elect, in the Room of such Proprietor, a
‘ Person nominated by such Proprietor, and then the Right and
‘ Interest of such Proprietor should determine, and thenceforth be-
‘ come vested in such Person so elected; and also, that in case of
‘ the Death of any Proprietor, it should be lawful for his or her
‘ Executors or Administrators to nominate a Person to be admitted
‘ or ballotted for as a Proprietor in the Right of the Proprietor so
‘ dying,

‘ dying, subject to such Restrictions and Regulations as are therein
‘ contained: And whereas the Proprietors of the said Institution
‘ have, at a very considerable Expence, purchased and provided a
‘ large and commodious House and Buildings situate in *Albemarle*
‘ *Street*, in the Parish of *Saint George, Hanover Square*, in the
‘ County of *Middlesex*, for the Purposes of the said Institution, and
‘ have formed a Mineral Collection of *British* Specimens scientifically
‘ arranged, and extensive and valuable Libraries; and also have
‘ erected and furnished a spacious and useful Laboratory, in which
‘ are made Experiments and Investigations important in a very high
‘ Degree to the Improvement of Chemical Science, and to its Ap-
‘ plication to Arts and Manufactures in this Country; and in the
‘ Course of which, Discoveries have been made highly honourable
‘ to this Age and the *British* Nation: And whereas the increased
‘ Scale of Expenditure which has necessarily attended the increased
‘ Scale of the Establishment having far exceeded the Funds of the
‘ said Institution, the Managers have lately laid a State of their
‘ Concerns before a General Meeting of the Proprietors, at which
‘ it was unanimously determined, that the National Objects to which
‘ the Royal Institution is now applied, should not be abandoned
‘ on account of any Sacrifice of Property which may be required
‘ on their Part, but with a View to attract the Interest of Scien-
‘ tific and Publick Characters in its Favour, and to induce them to
‘ form an active Co-operation for its Support, that Measures should
‘ be taken to form on its Basis a Publick National and Permanent
‘ Establishment devoted to the Cultivation of practical Science, and
‘ to the Promotion of every Improvement in Agriculture, Manu-
‘ factures and the Arts: And whereas the Saleable and Hereditary
‘ Right in the Shares and Property of the said Institution, have op-
‘ erated as Impediments to that general Interest and Co-operation
‘ which appear to be essential to such a Publick National and Per-
‘ manent Establishment as aforesaid, and therefore a General Meet-
‘ ing of the Proprietors have agreed, that such Saleable and Here-
‘ ditary Right shall be entirely done away, and that every Pro-
‘ prietor who shall relinquish and give up his or her Saleable and
‘ Hereditary Share and Property in the said Institution, shall be-
‘ come a Life Member thereof only; and as a Compensation for
‘ such his or her Saleable and Hereditary Right as aforesaid, shall
‘ have the Power of nominating, by Writing under his Hand, or by
‘ his Will, any Person being his Wife or Child, or other Relation
‘ in Blood, to be admitted to the Privileges of a Life Subscriber to
‘ the said Institution; and in the mean time and until such Nomina-
‘ tion, every Life Member shall have the Power of admitting One
‘ Person to the Lectures, Collections, Libraries and Reading Rooms,
‘ whenever he himself shall personally attend: And whereas an Ap-
‘ praised Valuation has been lately made, by skilful Persons, of the
‘ Property and Effects of the said Institution, in order to ascertain
‘ the Value of each Proprietor’s Share therein, which appears by
‘ such Valuation to amount to the Sum of Forty two Pounds and
‘ Ten Pence, or thereabouts, being the Value of each Proprietor’s
‘ Share; and it has been agreed by the Proprietors present at a Spe-
‘ cial General Meeting convened in the manner directed by the Bye-
‘ Laws of the said Institution, that in case any Proprietor shall not
‘ consent to become a Life Member of the said Institution, then,
‘ and

‘ and in such Case, as a Compensation for such his or her Here-
 ‘ ditary and Saleable Share or Property as aforesaid, such Proprietor
 ‘ shall receive the pecuniary Compensation of Forty two Pounds and
 ‘ Ten Pence, or at his or her Option such Sum of Money as shall
 ‘ be ascertained by a Jury to be the Value of such his or her Share
 ‘ or Property as hereinafter is provided or mentioned: And whereas
 ‘ by the said Letters Patent, and by the Bye-Laws made in pur-
 ‘ suance thereof, the Affairs and Concerns of the said Institution
 ‘ are directed and governed by a Committee of Managers, consist-
 ‘ ing of the President, Fifteen Managers, and the Secretary; and
 ‘ the said Institution is from time to time inspected and examined
 ‘ by a Committee of Visitors, consisting of the Treasurer and Fif-
 ‘ teen Visitors, the Members of the said Committees being chosen
 ‘ by and from among the Proprietors of the said Institution, and
 ‘ the President, Treasurer, Secretary, and One Third of the Ma-
 ‘ nagers, and One Third of the Visitors, having been renewed or
 ‘ chosen annually on the First Day of *May*, or when that Day has
 ‘ fallen on a *Sunday*, on the next Day: And whereas it is deemed
 ‘ expedient, that all the said Managers and Visitors should be re-
 ‘ newed or chosen annually, and that the greater Number of such
 ‘ Managers and Visitors respectively shall be Members of the said
 ‘ Institution, who have not been Managers or Visitors during the
 ‘ preceding Year: And whereas by the said Letters Patent the
 ‘ Power of making, altering and repealing Bye-Laws for the Regu-
 ‘ lation of the said Institution is vested in the said Managers, with
 ‘ the Consent of the said Visitors, and the Confirmation of the said
 ‘ Proprietors at large; and the Power of electing the Proprietors
 ‘ or Members of the said Institution, and the Honorary Members of
 ‘ the said Institution is also vested in the said Managers: And
 ‘ whereas it is deemed expedient that the said Powers of making,
 ‘ altering and repealing Bye-Laws, and of electing the Members and
 ‘ Honorary Members of the said Institution, should be vested in the
 ‘ Members at large, subject to the Restrictions hereinafter men-
 ‘ tioned: And whereas the said several Purposes cannot be carried
 ‘ into Effect without the Aid of Parliament:’ May it therefore
 please Your Majesty that it may be enacted, and be it enacted by the
 King’s Most Excellent Majesty, by and with the Advice and Con-
 sent of the Lords Spiritual and Temporal, and Commons, in this
 present Parliament assembled, and by the Authority of the same,
 That from and after the passing of this Act, the Objects of the said
 Body Politick, and the Powers vested in them by the said Charter,
 and this Act respectively, shall be extended and applied to the Pro-
 motion of Chemical Science by Experiments and Lectures for im-
 proving Arts and Manufactures, to discovering the Uses of the Mi-
 neral and other Natural Productions of this Country, and to the
 Diffusion and Extension of useful Knowledge in general; and that
 the Name of “ The Proprietors of the Royal Institution of *Great*
 “ *Britain*,” by the said Charter directed to be used, shall cease and
 be discontinued; and that in lieu thereof the Name of the said Body
 Politick shall be “ The Members of the Royal Institution of *Great*
 “ *Britain*,” which last mentioned Name shall be as valid and effectual
 for all Intents and Purposes whatsoever, as if the same had been
 originally comprized in the said Charter.

The Objects of
 the Corporation
 extended, and its
 Name altered.

No Member or
 Proprietor to

II. And be it further enacted, That from and after the passing of

this

this Act, no Member or Proprietor of the said Institution shall have any further or greater Share, Right or Interest therein, than for and during the Term of his natural Life; and that the said Clauses in the said Letters Patent, whereby it is declared, that in case any Proprietor of the said Institution shall be desirous of parting with his Right and Interest in the Property thereof, and shall notify the same, then it shall be lawful for the Managers to elect in the Room of such Proprietor, a Person to be nominated by such Proprietor; and that in case of the Death of any Proprietor, it shall be lawful for his or her Executors or Administrators to nominate a Person to be ballotted for or admitted in the Room of such deceased Proprietor, who, if a lawfully born Child of such deceased Proprietor, shall be admitted as a Proprietor; but if other than a lawfully born Child of such deceased Proprietor shall be ballotted for Election as a Proprietor, shall be null and void to all Intents and Purposes whatsoever.

III. Provided always, and be it further enacted, That each and every Proprietor or Member who shall be willing to give up and relinquish his or her Hereditary and Saleable Share or Property in the said Institution in consideration of such Power and Privileges as are next hereinafter mentioned, shall in such Form as shall be fixed by the Bye-Laws of the said Institution, have the Power of nominating by Writing under his or her Hand, or by his or her Will, or any Codicil thereto attested by Two or more Witnesses, one Person, being his Wife or Child, or other Relation in Blood, to be admitted to the Privileges of a Life Subscriber to the said Institution; and in the mean time and until such Nomination, each and every such Proprietor or Member shall have the Privilege of admitting One Person to the Lectures, Collection, Libraries and Reading Rooms, whenever he or she shall personally attend, but not otherwise.

IV. Provided also, and be it further enacted, That in case any Proprietor or Member, or the Trustee of any Proprietor or Member, or the Executors or Administrators of any deceased Proprietor or Member, shall, within Three Calendar Months after the passing of this Act, by Writing under his, her or their Hand or Hands, signify that he, she or they will not agree to relinquish and give up his, her or their Hereditary and Saleable Share or Property in the said Institution, in consideration of such Power and Privilege as last hereinbefore mentioned; then each and every such Proprietor or Member, for the time being, or his or her Trustee, Executors or Administrators, shall be paid by the Managers of the said Institution, the Sum of Forty two Pounds and Ten Pence *per* Share, as a Compensation for, and in full Satisfaction of, all his, her or their Share, Right and Interest in the said Institution, unless such Proprietor or Member, Trustee, Executor or Administrator, shall, within the Space of Three Calendar Months after the passing of this Act, bring or cause to be brought any Action or Actions in one of His Majesty's Courts of Record at *Westminster*, against the said Corporation, for the Recovery of the Value of his, her or their Hereditary and Saleable Share or Shares and Property in the said Institution, as such Value stood immediately before the passing of this Act, which it shall be lawful for every such Proprietor or Member to do and to proceed to Trial therein, in like manner as in other Actions at Law; and after Verdict had thereupon, the said Corporation shall and they

have more than
a Life Interest.

Members willing
to relinquish
their Saleable
and Hereditary
Property may
nominate a Life
Member.

Members not
willing to re-
linquish their
Saleable and
Hereditary Pro-
perty may receive
the Sum of 42l.
10d. per Share,
or recover the
Value.

are hereby required to pay, or cause to be paid to the Plaintiff or Plaintiffs in such Action or Actions, such Sum or Sums of Money as shall be recovered in such Action or Actions as such Compensation as aforesaid; and the Person or Persons to whom the same shall be so paid or tendered, shall cease to be a Proprietor or Member of the said Corporation, or to have any Share, Property, Right or Interest therein; provided that in all Actions where the Verdict shall be given for more than the Sum of Forty two Pounds and Ten Pence, the Costs of Suit shall be paid by the Defendants; and in all Actions where the Verdict shall be given for the Sum of Forty two Pounds and Ten Pence, or for any less Sum, the Costs of Suit shall be paid by the Plaintiff or Plaintiffs.

Election of
Managers and
Visitors.

V. And be it further enacted, That on the First Day of *May*, which shall be in the Year of our Lord One thousand eight hundred and eleven, and from thenceforth in each and every Year on the First Day of *May*, (unless when the same falls on a *Sunday*, and then on the next Day) the Members of the said Institution present at their annual Meeting, shall then proceed to elect by Ballot, from and among the Members of the said Institution (subject nevertheless to the Bye-Laws of the said Institution respecting the manner and time of such Election) not only a President, Treasurer and Secretary, but also Fifteen or more Managers, and Fifteen or more Visitors in the Room of the Managers or Visitors of the preceding Year, the major Part of such Fifteen or more Managers, and the major Part of such Fifteen or more Visitors, being Members of the said Institution, who have not been Managers or Visitors in the preceding Year.

Power as to
Bye-Laws vested
in General
Monthly
Meetings.

VI. And be it further enacted, That from and after the passing of this Act, no Bye-Laws shall be made, altered or repealed, except by the Authority of one of the General Monthly Meetings of the Members of the said Institution: Provided that no Bye-Law, nor the Alteration or Repeal of any Bye-Law, shall be proposed at any Meeting, unless Notice of such Bye-Law, or of the Alteration or Repeal of any such Bye-Law, shall have been given in Writing signed by at least Fifteen Members of the Institution, and sent round to the said Members Fourteen Days at least before such General Monthly Meeting.

Election of
Members vested
in the General
Monthly
Meetings.

VII. And be it further enacted, That from and after the passing of this Act, the Power of the said Managers to elect Proprietors or Members of the said Institution, and Honorary Members of the said Institution, shall cease and determine, and from thenceforth it shall be lawful for the Members of the said Institution, at their General Monthly Meetings from time to time, as well to elect and chuse by Ballot such Persons to be Members of the said Institution, as shall have been recommended by Four Members at least (in such Form as shall be fixed by the Bye-Laws of the said Institution) and shall have respectively paid or secured to be paid to the Funds of the Institution, in case of their Election, such Annual or other Sum as shall from time to time be fixed for the Qualification of a Member of the said Institution; as also to elect and chuse by Ballot to be Honorary Members of the said Institution, such *British* Subjects as are of the Blood Royal, or such Foreigners as are of elevated Rank, or distinguished for scientific or literary Attainments.

Times of General
Monthly
Meetings.

VIII. And be it further enacted, That the General Monthly Meetings

Meetings of the Royal Institution shall be held on the First *Monday* in the Months of *February, March, April, May, June, July, August, November* and *December* in every Year, at Two o'clock in the Afternoon precisely, or on such other Days and Times, and at such other Hour as shall from time to time be fixed by the Bye-Laws of the said Institution.

IX. And be it further enacted, That it shall and may be lawful to and for the Managers of the said Institution (in Writing under their Hands) to allow such Salaries to their Professors, Lecturers and Officers, as by such Managers shall be deemed a reasonable Compensation for their Duty and Attendance, notwithstanding such Professors, Lecturers or Officers may be Members of the said Institution; any thing in the said recited Charter to the contrary thereof in any wise notwithstanding. Salaries to Professors.

X. And whereas the Library of Reference and Mineral Collection have been formed at the Royal Institution by Subscription upon the following Conditions; that each Subscriber of One hundred Pounds, or upwards, should be an Hereditary Patron of the said Library and Collection; and that every Subscriber of Fifty Pounds should be a Life Patron of the same; and it is deemed expedient, that the Hereditary Rights of the Patrons should be abolished and taken away upon a fair Compensation; Be it therefore enacted, That the Proprietors or Members who have contributed, or who shall contribute to the said Library of Reference and Mineral Collection, to the Amount of One hundred Pounds or upwards, shall be Patrons for Life only of the said Library and Collection; and each such Patron shall have Power by Writing to appoint any one other Person (being a Life Member of the said Institution) to be a Patron for Life of the said Library and Collection. Compensation to Hereditary Patrons.

XI. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to prejudice, lessen or affect the Rights and Interests of any Life Subscriber, or Annual Subscriber, in the said Institution, but the same shall be as good, valid and effectual in all respects whatsoever, as if this Act had not been made. Proviso for Interests of Life and Annual Subscribers.

XII. And be it further enacted, That the said recited Letters Patent, and the Bye-Laws made in pursuance thereof (except so far as the same are altered or made void by this Act, or as any of the said Bye-Laws may be contrary to the said Letters Patent, or to the Laws of the Realm) are hereby confirmed and made valid in all respects, and to all Intents and Purposes whatsoever. Letters Patent and Bye-Laws (except as hereby altered) valid.

XIII. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded. Publick Act.

Cap. lii.

An Act to continue the Term and alter and enlarge the Powers of several Acts of His present Majesty, for repairing certain Roads in the Counties of *Carnarvon* and *Denbigh*, and for more effectually repairing, improving and keeping in Repair certain other Roads in the County of *Carnarvon*. (a) 9 G. 3. c. 77.
17 G. 3. c. 111.

[18th April 1810.]
[Additional Trustees. Double Tolls on Sunday.]

Cap.

Cap. liii.

7 G. 3. c. 86.
29 G. 3. c. 85

An Act to continue the Terms and enlarge the Powers of Two Acts of the Seventh and Twenty ninth Years of His present Majesty, for repairing the Road leading from the High Road between *Bromley* and *Farnborough*, in the County of *Kent*, to *Beggars' Bush*, in the Turnpike Road leading from *Tonbridge Wells* to *Maresfield*, in the County of *Suffex*. (c) [18th April 1810.]
[Double Tolls on Sunday.]

Cap. liv.

3 G. 3. c. 26.
24 G. 3. Sess. 1.
c. 25.

An Act for continuing and amending Two Acts passed in the Third and Twenty fourth Years of His present Majesty, for repairing the Roads from *Lemsford Mill*, through *Welwyn* and *Stevenage* to *Hitchin*, and from *Welwyn* through *Codicot* to *Hitchin* aforesaid, all in the County of *Hertford*. (a) [18th April 1810.]
[Former Tolls repealed, and new Tolls granted.]

Cap. lv.

An Act for making and keeping in Repair the Road leading from a Place near *Stopham Bridge*, in the Parish of *Pulborough*, in the County of *Suffex*, to the Road running from *Worthing* to *Horsbam*, in the said County; and from the said Road running from *Worthing* to *Horsbam* to the Direction Post in the Parish of *Steyning*, on the Turnpike Road leading from *Steyning* to *Horsbam*, in the said County. (b) [18th April 1810.]
[Double Toll on Sundays.]

Cap. lvi.

12 G. 3. c. 101.
33 G. 3. c. 147.

An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from *Gibbet Lane* to *Wolverhampton*, in the County of *Stafford*, and several other Roads therein described; and for extending the said Roads from *King's Wood Common* to the Turnpike Road leading from *Weston under Lizard* to *Newport*, in the County of *Salop*. (b) [18th April 1810.]

Cap. lvii.

26 G. 3. c. 126.
repealed.

An Act for more effectually repairing, widening, improving and amending the Road from *Liverpool* to *Preston*, in the County Palatine of *Lancaster*. (a) [18th April 1810.]
[Additional Half Toll on Sundays.]

Cap. lviii.

39 & 40 G. 3.
c. xv. repealed
as to the Sixth
District.

An Act for more effectually repairing and keeping in Repair several Roads leading to and from the Town of *Abergavenny* in the County of *Monmouth*. (a) [18th April 1810.]
[Double Tolls on Sunday.]

Cap. lix.

An Act for making and keeping in Repair a Carriage Road from the Turnpike Road leading from *Rotherham* in the County of *York*, to *Mansfield* in the County of *Nottingham*, at or near *Glewa* in the County

County of *Derby*, to the Turnpike Road leading from *Workop* to *Kelham*, at or near *Budby* in the County of *Nottingham*. (b)

[18th April 1810.]

Cap. lx.

An Act to amend so much of an Act made in the Parliament of 26 G. 3. (1.) c. 14. *Ireland*, in the Twenty sixth Year of His present Majesty, for making and repairing Publick Roads in the County of *Dublin*, as relates to the Roads within the Barony of *Rathdown*.

[18th April 1810.]

Cap. lxi.

An Act for amending an Act of the Forty second Year of His present Majesty for repairing the Road from *Buckton Burn* through *Berwick upon Tweed* to *Lammerton Hill*, and several other Roads therein mentioned, in the County of *Durham* and Liberties of *Berwick upon Tweed*.

[18th April 1810.]

Cap. lxii.

An Act to amend * several Acts for repairing Roads leading to and through the Town of *Frome* in the County of *Somerset*, and for paving the Footways and lighting the Streets within the said Town, and for removing Part of the present Market Place in the said Town. (b)

[18th April 1810.]

[Former Tolls repealed, and new Tolls granted.]

Cap. lxiii.

An Act for more effectually repairing the Road from *Hardingstone* to *Old Stratford*, in the County of *Northampton*. (a)

[18th April 1810.]

[Double Tolls on Sunday.]

Cap. lxiv.

An Act for inclosing Lands in the Parishes of *Eling* and *Fawley*, in the County of *Southampton*. (q. P.)

[18th April 1810.]

“ Allotment and Compensation for Tythes. § 16.

Cap. lxv.

An Act for appointing new Trustees for carrying into Execution the Trusts and Powers of the Settlement made on the Marriage of the Right Honourable *George Capel Coningsby* Earl of *Essex*, with *Sarah* Countess of *Essex*, his Wife, (q. P.)

[18th April 1810.]

Cap. lxvi.

An Act for inclosing and exonerating from Tythes, Lands in the Parish of *Bletchley*, in the County of *Buckingham*. (q. P.)

[18th April 1810.]

Cap. lxvii.

An Act for inclosing Lands in the Parishes of *Great Plumstead* and *Postwick*, in the County of *Norfolk*. (q. P.)

[18th April 1810.]

Cap. lxviii.

An Act for paving, lighting, cleansing and watching the Burgh of *Kilmarnock*, [See 42 G. 3. c. xlviii.]

Kilmarnock, and Suburbs thereof; for regulating the Police and Markets; and for other Purposes therein mentioned.

[18th May 1810.]

Cap. lxxix.

An Act for better regulating the Statute Labour within the County of *Stirling*.

[18th May 1810.]

Cap. lxx.

13 G. 3. c. 29. An Act to amend several Acts of the Thirteenth, Thirty fifth
35 G. 3. c. 41. and Thirty seventh Years of His present Majesty, for deepening
37 G. 3. c. 101. and making more commodious the Harbour of *Aberdeen*. (a)

[18th May 1810.]

[*New Duties.*]

Cap. lxxxi.

An Act for providing an additional Burying Ground for the Parish of *Saint John, Hampstead*, in the County of *Middlesex*.

[18th May 1810.]

Cap. lxxii.

An Act for more effectually making and repairing certain Roads in the Counties of *Fife, Kinross, Perth* and *Clackmannan*. (b)

[18th May 1810.]

“ 45 G. 3. c. cviii. repealed. 30 G. 3. c. 93. 37 G. 3. c. 180. and
“ 47 G. 3. Sess. 1. c. 11. in part repealed.

Cap. lxxiii.

3 G. 2. c. 18. An Act for more effectually repairing the Roads leading into the
22 G. 2. c. 18. City of *Hereford*, and several Roads communicating therewith. (a)

9 G. 3. c. 90.

29 G. 3. c. 109.
repealed.

[18th May 1810.]

[*Double Tolls on Sunday.*]

Cap. lxxiv.

An Act for making and maintaining a Turnpike Road from the Town of *Wisbech* in the *Isle of Ely*, in the County of *Cambridge*, to the Town of *Thorney* in the same Isle and County. (b)

[18th May 1810.]

Cap. lxxv.

An Act to amend an Act of the Fourteenth Year of His present Majesty, for the better Regulation of Buildings and Party Walls, and for the more effectually preventing Mischiefs by Fire within the Cities of *London* and *Westminster*, by permitting *Johns' Patent* Tessera to be used in the Covering of Houses and Buildings within the Places therein mentioned.

[18th May 1810.]

14 G. 3. c. 78. “ WHEREAS by an Act passed in the Fourteenth Year of the
“ Reign of His present Majesty, intituled, *An Act for the*
“ *further and better Regulation of Buildings and Party Walls, and for*
“ *the more effectually preventing Mischiefs by Fire within the Cities of*
“ *London and Westminster, and the Liberties thereof, and other the*
“ *Parishes, Precincts and Places within the Weekly Bills of Mor-*
“ *tality, the Parishes of Saint Mary le bon, Paddington, Saint Pan-*
“ *cras, and Saint Luke at Chelsea, in the County of Middlesex; and*
“ *for indemnifying, under certain Conditions, Builders and other Per-*
“ *sons*

' sons against the Penalties to which they are or may be liable for
 ' erecting Buildings within the Limits aforesaid; contrary to Law, it
 ' was, amongst other things, enacted, That every Flat, Gutter and § 47.
 ' Roof of every Building of the First, Second, Third, Fourth or
 ' Fifth Rate or Class of Building (described in the said recited Act)
 ' which should be built after the Twenty fourth Day of June then
 ' last, and every Turret, Dormer and Lanthorn Light, or other
 ' Erection which should be placed in the Flat or Roof of any such
 ' Building, and every external Part of any Flat, Gutter, Roof,
 ' Turret, Dormer and Lanthorn in any Building of the said First,
 ' Second, Third, Fourth or Fifth Rate or Class of Building then
 ' built, or which should at any time after the time aforesaid be ripped
 ' or uncovered, should be covered with Glass, Copper, Lead, Tin,
 ' Slate, Tile or artificial Stone, except the Doors, Door Frames,
 ' Windows and Window Frames of such Dormers, Turrets, Lant-
 ' horn Lights or other Erections: And whereas since the passing
 ' of the said recited Act, His Majesty's Letters Patent under the Letters Patent,
 ' Great Seal of Great Britain, bearing Date at Westminster the Twenty 22 Dec. 1780.
 ' second Day of December in the Year of our Lord One thousand
 ' eight hundred and six, have been granted to Ambrose Beauden Johns,
 ' for his new-invented Composition called Johns' Patent Tesseræ, com-
 ' posed of Limestone or any other Stone powdered, or Road Stuff,
 ' where Stone is made use of for repairing of Roads, and other Ar-
 ' ticles of a stony, sandy or calcareous Nature, with a sufficient
 ' Addition of Tar or other Bitumenous Substances, mixed together
 ' by the Application of considerable Heat and powerful Machinery,
 ' and afterwards pressed together and rolled into Sheets by Means
 ' of Rollers acting with great Pressure, to be used in the Covering
 ' of Buildings: And whereas such Composition has been found useful
 ' and safe for such Purposes, and not liable to catch Fire, so as to
 ' communicate the same to any adjoining Premises: And whereas
 ' it is expedient to allow to be used in the Covering of Buildings the
 ' said Composition called Johns' Patent Tesseræ, as well as the several
 ' Articles mentioned in the said Act of the Fourteenth Year of the
 ' Reign of His present Majesty: May it therefore please Your Majesty
 ' that it may be enacted; and be it enacted by the King's Most Ex-
 ' cellent Majesty, by and with the Advice and Consent of the Lords
 ' Spiritual and Temporal, and Commons, in this present Parliament
 ' assembled, and by the Authority of the same, That from and after
 ' the passing of this Act, every Flat, Gutter and Roof of every Build-
 ' ing of the said First, Second, Third, Fourth or Fifth Rate or Class
 ' of Building, and of every other Rate or Class of Building, and every
 ' Turret, Dormer and Lanthorn Light, or other Erection which shall
 ' be placed in the Flat or Roof of any such Building, and every ex-
 ' ternal Part of any Flat, Gutter, Roof, Turret, Dormer and Lant-
 ' horn, in any Building of the said First, Second, Third, Fourth or
 ' Fifth Rate, or any other Rate or Class of Building now built, or
 ' which shall at any time hereafter be built within the several Places
 ' named in the said recited Act, and every Coping, Cornice, Facia,
 ' Window-dressing, Portico, Balcony, Balustrade, or other external
 ' Decoration or Projection whatsoever, to any such Buildings respec-
 ' tively, and also every Frontispiece to any Building of the said First
 ' Rate or any other Rate or Class of Building now built or hereafter
 ' to be built, or to any Addition or Enlargement of any such Build-
 ' ing,

Tesseræ may be
 used in covering
 Buildings within
 Bills of Mor-
 tality.

ing, and every covered Way as shall or may hereafter be made to any Building, may be covered with the said Composition called *Jobns' Patent Tessera*, or any or either of the said several Articles or Materials mentioned and prescribed in and by the said recited Act, and the said Composition called *Jobns' Patent Tessera* shall and may be used in like manner as if the said Material or Composition had been specifically named and included in the said Act among the Articles enumerated therein to be used for covering any such Buildings; on each Sheet of which Tessera so used, shall be stamped on the upper Side thereof in legible Characters the Words, "Tessera licensed to be used by Act of Parliament."

Proportion of
Bitumenous
Substance.

II. And be it further enacted, That the Tessera to be used pursuant to this Act shall not contain a greater Quantity of Tar or other Bitumenous Substance, than is set out and described in the Specification of the said Composition called *Jobns' Patent Tessera*.

Using Composi-
tion as Tessera,
for Tessera per-
mitted to be
used by Act.

III. And be it further enacted, That if any Person or Persons shall make use of, in the covering of any Flat, Gutter or Roof of any such Building, or of any Turret, Dormer, Lanthorn Light or other Erection in the Flat or Roof of any such Building, or any external Part of any Flat, Gutter, Roof, Turret, Dormer or Lanthorn Light, or of any Coping, Cornice, Facia, Window-dressing, Portico; Balcony, Balustrade or other external Decoration or Projection, or any Frontispiece to any such Building, or any Addition or Enlargement thereto, or any covered Way belonging thereto, any Composition, Manufacture or Mixture, as and for the Tessera permitted to be used by this Act, then, and in every such Case, every such Person shall forfeit and pay for every such Offence the Sum of One hundred Pounds, to be recovered with Treble Costs of Suit by Action of Debt, Bill, Complaint or Information, in any of His Majesty's Courts of Record at *Westminster*, wherein no *Essoin*, Protection or Wager of Law, or more than One Imparance shall be allowed; One Moiety whereof shall be to the Use of the Poor of the Parish wherein the Offence was committed, and the other Moiety thereof to such Person or Persons as shall inform or sue for the same; and every such Person shall also be subject and liable to all and every the Penalties, Forfeitures, Restrictions and Regulations imposed by the said recited Act of the Fourteenth Year of the Reign of His present Majesty, on Persons offending against the said recited Act: Provided always, That no Action or Prosecution shall be brought or commenced against any Person or Persons for any Penalty or Forfeiture inflicted or incurred by this Act, unless the same shall be commenced within Six Calendar Months next after such Forfeiture shall have been incurred.

Penalty.

Proviso.

Publick Act.

IV. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded.

Cap. lxxvi.

39 & 40 G. 3.
c. xxiii.

44 G. 3. c. xlvii.

An Act for enabling the Company of Proprietors of the *Thames and Medway* Canal to vary the Line of the said Canal; and for altering and enlarging the Powers of Two Acts, passed in the Fortieth and Forty fourth Years of His present Majesty, for making the said Canal and a Collateral Cut thereto. [18th May 1810.]

Cap.

Cap. lxxvii.

An Act for improving the *Barrier Bank* on the South Side of *Moreton's Leam*, between *Tower House* and *Whittesey Field*, in the *Isle of Ely* and County of *Cambridge*. [18th May 1810.]

Cap. lxxviii.

An Act to amend and render more effectual Two Acts of His late and present Majesty for draining, preserving and inclosing Lands in *March*, *Wimblington* and *Upwell*, in the *Isle of Ely* and County of *Cambridge*, so far as the said Acts relate to the First and Second Districts therein mentioned. [18th May 1810.]

30 G. 2. c. 86.

32 G. 3. c. 108.

Cap. lxxix.

An Act for draining and improving certain Lands in the Manors, Parishes and Places of *North Weston*, *Walton* and other Places in the County of *Somerset*. [18th May 1810.]

Cap. lxxx.

An Act for draining and improving certain Fen Lands and Low Grounds in the Parish of *Stilton*, in the County of *Huntingdon*. [18th May 1810.]

Cap. lxxxi.

An Act for embanking and draining a certain Level of Marshes and Fen Lands called or known by the Name of *The Minsmere Level*, within the several Parishes of *Leiston*, with the Hamlet of *Size-well*, *Theberton*, *Dunwich*, *Wefleton* and *Middleton cum Fordley*, in the County of *Suffolk*. [18th May 1810.]

Cap. lxxxii.

An Act for amending and enlarging the Powers of an Act of His present Majesty, intituled, *An Act for the Improvement of the Town of Bedford in the County of Bedford, and for rebuilding the Bridge over the River Ouze in the said Town*. [18th May 1810.]

43 G. 3. c. cxxviii.

[Former Tolls repealed, and new Tolls granted.]

Cap. lxxxiii.

An Act for better lighting, watching, cleansing and repairing the Highways, and otherwise improving the Hamlet of *Ratcliff*, in the County of *Middlesex*, and for repealing an Act of the Twenty ninth Year of His late Majesty relative thereto; and for the better Relief and Maintenance of the Poor of the said Hamlet. [18th May 1810.]

29 G. 2. c. 87.
repealed as to
Hamlet of
Ratcliff.

Cap. lxxxiv.

An Act for better paving and lighting, for establishing a Nightly Watch, for regulating the Poor, and recovering the Poor Rates within the Liberty of the *Rolls* in the County of *Middlesex*. [18th May 1810.]

“ 2 G. 3. c. 21. 3 G. 3. c. 23. 4 G. 3. c. 39. 5 G. 3. c. 50. 11 G. 3.
“ c. 22. 30 G. 3. c. 53. repealed as to Liberty of the *Rolls*. § 16.

Cap. lxxxv.

37 G. 3. c. 59.

An Act to explain and amend an Act of the Twenty seventh Year of His present Majesty, for making and declaring the Gaol for the County of *Devon* a Publick and Common Gaol; and for other Purposes in the said Act mentioned. [18th May 1810.]

Cap. lxxxvi.

49 G. 3. c. cxvi.

An Act for altering and amending an Act, passed in the last Session of Parliament, for widening and altering *Ouse Bridge* over the River *Ouse*, and *Foss Bridge* over the River *Foss*, in the City of *York*; for widening, raising and improving certain Streets, Lanes and Passages leading and near to the said Bridges; and for making certain other Improvements in the said City. [18th May 1810.]

Cap. lxxxvii.

An Act for maintaining a Bridge across the River *Beauley*, to be called *The Lovat Bridge*, in the County of *Inverness*. [18th May 1810.]

Cap. lxxxviii.

An Act for making and maintaining a Road partly by an Archway through the East Side of *Highbgate Hill*, communicating with the present Turnpike Road from *London* to *Barnet*, at *Upper Holloway*, in the Parish of *Saint Mary Islington*, and near the Brook below the Fifth Mile Stone, in the Parish of *Hornsey*, in the County of *Middlesex*. [18th May 1810.]

Cap. lxxxix.

An Act to enable the *Birmingham* Life Assurance and Annuity Office to sue in the Name of their Secretary, and to enrol Annuities. [18th May 1810.]

Cap. xc.

An Act to enable the *Birmingham* Fire Office Company to sue in the Name of their Secretary. [18th May 1810.]

Cap. xci.

An Act to regulate the loading of Ships with Coals in the Port of *Newcastle upon Tyne*. [18th May 1810.]

[Seven Years.]

Cap. xcii.

14 G. 2. c. 19.

14 G. 2. c. 23.

30 G. 2. c. 54.

38 G. 3. c. 108.

An Act for continuing the Term; and altering and enlarging the Powers of several Acts for repairing the Roads therein mentioned, so far as the same relate to the Road from the *Red House*, near *Doncaster*, to the South End of *Wakefield Bridge*, and from *Wakefield* to *Pontefract*, and from thence to *Weeland*, and from *Pontefract* to *Wentbridge*, all in the West Riding of the County of *York*. (a) [18th May 1810.]

[Additional Trustees. Former Tolls repealed, and new Tolls granted.]

Cap.

Cap. xciii.

An Act to continue the Term, and alter and enlarge the Powers of Two Acts, passed in the Fifth and Sixteenth Years of His present Majesty, for repairing the Road from the Great Bridge in the Borough of *Warwick* to the Town of *Northampton*. (b) 5 G. 2. c. 107.
16 G. 2. c. 82.
[18th May 1810.]

Cap. xciv.

An Act for more effectually amending, widening and repairing the Road leading from *Aylesbury*, in the County of *Buckingham*, to *Hockliffe*, in the County of *Bedford*. (a) [18th May 1810.]
[Double Tolls on Sunday.]

Cap. xcv.

An Act to continue the Term and alter and enlarge the Powers of several Acts for repairing the Roads from *Birmingham* to *Warmington*, and from *Birmingham* to *Edgehill*, in the County of *Warwick*, so far as the same relate to the Road from *Birmingham* to *Warmington*, and so on to the utmost Limits of the said County on *Edgehill*. (b) 12 G. 1. c. 6.
18 G. 2. c. 32.
31 G. 2. c. 58.
20 G. 3. c. 80.
[18th May 1810.]
[Double Toll on Sunday.]

Cap. xcvi.

An Act for continuing the Term and enlarging the Powers of Two Acts of the Eighth and Twenty eighth Years of His present Majesty, so far as the same relate to the Road from the Township of *Huddersfield*, in the West Riding of the County of *York*, to *Woodhead*, in the County Palatine of *Chester*, and from thence to a Bridge over the River *Mersey*, called *Enterslough Bridge*, on the Confines of the County of *Derby*. (c) 8 G. 3. c. 47.
28 G. 3. c. 108.
[18th May 1810.]
[Former Tolls to cease, and new Tolls granted.]

Cap. xcvi.

An Act for enlarging the Term and Powers of Three Acts of His late and present Majesty, for repairing several Roads therein mentioned, leading to, through and from the Town of *Monmouth*, and for making a New Piece of Road to communicate therewith. (b) 28 G. 2. c. 31.
17 G. 3. c. 96.
38 G. 3. c. 169.
[18th May 1810.]
[Former Tolls to cease, and new Tolls granted. Double Tolls on Sunday.]

Cap. xcvi.

An Act for continuing and amending an Act of the Twenty eighth Year of His present Majesty, for repairing the Roads from *Staplebar* to *Lingen*, and from thence to *Willey's Oak*, and from *Kingstham* to the *Kington* and *Radnor* Turnpike Roads, and from *Lingen* aforesaid to *Walford*, in the County of *Hereford*. (a) 28 G. 3. c. 105.
[18th May 1810.]
[Former Tolls to cease, and new Tolls granted.]

Cap. xcix.

An Act for more effectually repairing and improving the Road from *Wendover* to the Town of *Buckingham*, in the County of *Buckingham*. (a) [18th May 1810.]

[Double Tolls on Sunday.]

“ 7 G. 1. Stat. 1. c. 24. 15 G. 2. c. 5. 24 G. 2. c. 32. and 6 G. 3. c. 71.
“ repealed as to the Road from *Wendover* to *Buckingham*.

Cap. c.

37 G. 3. c. 173. An Act to continue the Term, and alter and enlarge the Powers of an Act of the Thirty seventh Year of His present Majesty, for amending the Road from *Belton in the Moors* to *Blackburn*, in the County Palatine of *Lancaster*; and for making a Branch of Road from the said Road to the Road leading from *Blackburn* to *Preston*; and another Branch of Road from *Mather Fold* to *Hardman's*, both in *Turton* in the said County. (a)

[18th May 1810.]

[Former Tolls repealed, and new Tolls granted. Double Tolls on Sunday.]

Cap. ci.

38 G. 3. c. 155. An Act to continue and amend an Act of the Thirty third Year of His present Majesty, for repairing several Roads in and near the Town of *Brewton*, and other Roads, in the Counties of *Somerset* and *Wilts*, therein described. (a) [18th May 1810.]

[New Tolls granted. Double Tolls on Sunday.]

Cap. cii.

5 G. 3. c. 90.
28 G. 3. c. 97. An Act to continue the Term and alter and enlarge the Powers of Two Acts of His present Majesty, for repairing the Road from the *Alfreton Turnpike Road*, near a Place called *Little Robins*, in the Parish of *Mansfield*, in the County of *Nottingham*, to the *Nottingham Turnpike Road* near *Tansley*, in the County of *Derby*, and from *Woolley Moor* to the *Chesterfield Turnpike Road* at *Kelsledge*, in the said County of *Derby*. (c) [18th May 1810.]

[Additional Trustees appointed.]

Cap. ciii.

2 G. 3. c. 62.
11 G. 3. c. 87.
22 G. 3. c. 116. An Act to continue the Term and alter and enlarge the Powers of Three Acts, passed in the Second, Eleventh and Twenty second Years of His present Majesty, for repairing the Road leading from *Blyth Marsh*, in the County of *Stafford*, to the Road from *Asbourn* to *Buxton*, near *Thorp* in the County of *Derby*, and from the Road between *Cheadle* and *Leek*, to the Road above *Frogall Bridge*, and from the same Road to the said Road between *Blyth Marsh* and *Thorp* at or near *Ruehill Gate*, in the County of *Stafford*. (c)

[18th May 1810.]

[Former Tolls repealed, and new Tolls granted. Double Tolls on Sunday.]

Cap.

Cap. civ.

An Act to continue the Term and alter and enlarge the Powers of Two Acts, passed in the Ninth and Thirtieth Years of His present Majesty, for repairing the Road from *Cheadle* to *Botham House*, and from thence to *Butterton Moor End*, in the County of *Stafford*. (c) [18th May 1810.]

[Former Tolls repealed, and new Tolls granted. Double Tolls on Sunday.]

Cap. cv.

An Act for enabling the Trustees of *George Earl of Coventry*, to cut down and sell Timber on the Estates devised to him for Life by the Will of his late Father, deceased. (q. P.) [18th May 1810.]

Cap. cvi.

An Act for vesting the legal Fee of certain Estates devised by the Will of the Right Honourable *Richard* late Lord *Penrhyn*, and now vested in *William Norris* Esquire, in *William Le Blanc* and his Heirs, upon the Trusts subsisting or capable of taking Effect in the said Estates. (q. P.) [18th May 1810.]

Cap. cvii.

An Act for vesting certain Trust Estates in the surviving Trustee under the Will of *Elizabeth Boddington*, deceased. (q. P.) [18th May 1810.]

Cap. cviii.

An Act for incorporating the Archbishop of *Cashel*, the Bishop of *Leighlin* and *Ferns*, the Bishop of *Offory*, and the Dean of *Offory*, and their respective Successors for the time being, into a Corporation, to be called by the Name of 'The Trustees of the Asylum' in the City of *Kilkenny*, founded by *James Switsir* Esquire, and for enabling them to carry on that charitable and useful Institution, according to the Provisions of a certain Trust Deed, executed by the said *James Switsir*. (q. P.) [18th May 1810.]

Cap. cix.

An Act for vesting a Messuage and Premises near *Liverpool*, in the County of *Lancaster*, devised by the Will of *John Sparling* Esquire deceased, in Trustees in trust to sell the same, and to lay out the Monies thence arising in the Purchase of other Estates. (q. P.) [18th May 1810.]

Cap. cx.

An Act to confirm and establish certain Inclosures of Lands, within the Parish of *Rossington*, in the West Riding of the County of *York*; and also to effectuate an Exchange, lately made between the Mayor, Aldermen and Burgesses of the Borough of *Doncaster*, and the Rector of *Rossington* aforesaid. (q. P.) [18th May 1810.]

Cap. cxi.

An Act for inclosing Lands in the Parish of *Newton Blossomville* otherwise *Newton Blossomville*, in the County of *Buckingham*. (q. P.) [18th May 1810.]

“ Allotment and Compensation for Tithes. § 15.

Cap.

Cap. cxii.

An Act for allotting Lands in the Parish of *Tellscomb* otherwise *Telfcombe*, in the County of *Suffen*. (q. P.) [18th May 1810.]

Cap. cxiii.

An Act for inclosing Lands in the Parishes of *Tidenham*, *Woolaston* and *Lancast*, in the County of *Gloucester*. (q. P.) [18th May 1810.]

“ Allotment and Compensation for Tithes. § 25.

Cap. cxiv.

An Act for inclosing Lands in the Liberty of *Berrick Prior*, and in the Manor and Parish of *Newington*, in the County of *Oxford*. (q. P.) [18th May 1810.]

“ Allotment and Compensation for Tithes. § 25.

Cap. cxv.

An Act for inclosing Lands in the Parishes of *Codicote*, *Welwyn* and *Kuchworth*, in the County of *Hertford*. (q. P.) [18th May 1810.]

Cap. cxvi.

An Act for inclosing Lands in the Parishes of and *Gladdestry Colne*, in the County of *Radnor*. (q. P.) [18th May 1810.]

“ Allotment to His Majesty as Lord of the Manor. § 21. 33. Sav.
“ ings to His Majesty. § 51, 52.

Cap. cxvii.

An Act for inclosing the Open Fields of *Newbold Verdon* and *Newbold Heath*, in the County of *Leicester*. (q. P.) [18th May 1810.]

“ Allotment and Compensation for certain Tithes. § 26, 27. 29.
“ 32, 33. Tithes of ancient Inclosures commuted for. § 31.

Cap. cxviii.

An Act for inclosing Lands in the Parishes of *Enborne*, *Hamstead Marshall*, *Inkpen* and *Kintbury*, in the County of *Berks*. (q. P.) [18th May 1810.]

Cap. cxix.

81 G. 3. c. 72. An Act for amending an Act passed in the Thirty first Year of His present Majesty, for the better Relief and Employment of the Poor within the Hundreds of *Leas* and *Wilford*, in the County of *Suffolk*. [24th May 1810.]

Cap. cxx.

An Act for better regulating the Statute Labour in the County of *Forfar*. [24th May 1810.]

“ 29 G. 3. c. 20. as relating to Statute Labour in *Forfar* repealed.

Cap.

Cap. cxxi.

An Act for more effectually repairing the Roads in the County of *Forfar*. (b) [24th May 1810.]

“ 29 G. 3. c. 20. and 34 G. 3. c. 100. repealed as to certain Turnpike
“ Roads.

Cap. cxxii.

An Act for making and maintaining a Navigable Canal from the Union Canal, in the Parish of *Gumley*, in the County of *Leicester*, to join the Grand Junction Canal near *Long Buckby*, in the County of *Northampton*; and for making a Collateral Cut from the said intended Canal. [24th May 1810.]

Cap. cxxiii.

An Act for making and maintaining a Railway from *Howler Slade* in the Forest of *Dean*, in the County of *Gloucester*, to the Town of *Monmouth*; and for making other Railways therein mentioned in the Counties of *Gloucester* and *Monmouth*. [24th May 1810.]

Cap. cxxiv.

An Act for making and maintaining a Tunnel or Road under the River *Severn*, from the Parish of *Newnham* to the Parish of *Arlingham*, in the County of *Gloucester*. [24th May 1810.]

Cap. cxxv.

An Act for improving the Drainage of certain Lands within the North and South West Parts of the Middle Level, Part of the Great Level of the Fens commonly called *Bedford Level*. [24th May 1810.]

Cap. cxxvi.

An Act for inclosing Lands in the Parish of *Leverton*, in the County of *Lincoln*; and for providing for the Repair of a certain Sea Bank within the said Parish. [24th May 1810.]

“ Allotment and Compensation for Tithes. § 20. 22, &c. No Lease
“ of Rectorial Allotments without Consent of the King as Patron
“ of the Rectory of *Leverton*. § 32.

Cap. cxxvii.

An Act for inclosing Lands in the Parish of *Leake*, in the County of *Lincoln*; and for providing for the Repair of the New Sea Bank within the said Parish. [24th May 1810.]

“ Allotment and Compensation for Tithes. § 20. 22, &c.

Cap. cxxviii.

An Act for amending, enlarging and rendering more effectual an 11 G. 2. c. 34.
Act passed in the Eleventh Year of King *George the Second*, for the effectual draining and preserving of a certain Fen called *Cowdle Fen*, and other Fen Grounds in the *Ile of Ely*, in the County of *Cambridge*. [24th May 1810.]

Cap. cxxix.

An Act for amending and rendering more effectual an Act of His 41 G. 3. (U.K.)
present c. cxlii.

present Majesty, for dividing and allotting certain Fens, called The *East and West Fens*, in the County of *Lincoln*; and for dividing and inclosing the Parochial Allotments, Lands and Grounds belonging to and in certain Parishes having Right of Common on the said Fens, and for declaring to what Parishes such Allotments shall belong. [24th May 1810.]

“ Allotment and Compensation for Tithes. § 19—22.

Cap. cxxx.

- 43 G. 3. c. cxvii. An Act to amend and render more effectual an Act of His present Majesty, for erecting a new Church, to be called *Christ Church*, in the Town of *Birmingham* in the County of *Warwick*; and for providing a Maintenance and Residence for the Minister or perpetual Curate thereof. [24th May 1810.]

Cap. cxxxi.

An Act for the more equally assessing and collecting the Poor Rates within the Hamlet of *Mile End Old Town*, in the Parish of *Saint Dunstan, Stebon Haath* otherwise *Stepney*, in the County of *Middlesex*, to alter, enlarge or repair a Workhouse or Workhouses of the said Hamlet, and managing the Concerns thereof. [24th May 1810.]

Cap. cxxxii.

- 46 G. 3. c. cxix. An Act to enable the Company of Proprietors of the *West Middlesex* Waterworks to raise a further Sum of Money*; and to alter, vary, amend and enlarge the Powers of the Act passed in the Forty sixth Year of His present Majesty, for making the said Waterworks; and for extending the same. [24th May 1810.]

Cap. cxxxiii.

- 21 G. 3. c. 133. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from *Buckingham*, through *Brackley*, to join the *Daventry* Turnpike Road near *Banbury*. (c) [24th May 1810.]

[Former Tolls repealed, and new Tolls granted.—Double Tolls on Sunday.]

Cap. cxxxiv.

- 30 G. 3. (1.) c. 46. An Act to amend an Act, passed in the Parliament of *Ireland*, in the Thirtieth Year of His Majesty's Reign, for repairing the Turnpike Road leading from *Kinnegad* to *Athlone*. [24th May 1810.]

repealed, as to Power to divide Road.

[New Tolls.]

Cap. cxxxv.

- 2 G. 3. c. 80. 21 G. 3. c. 85. An Act for continuing the Term and altering and enlarging the Powers of Two Acts of His present Majesty, for repairing certain Roads lying in the Counties of *Leicester* and *Warwick* and in the County of the City of *Coventry*; and for amending and keeping in Repair the Road from *Bourne Bridge* to *Blythe Bridge* in the County of *Warwick*. (c) [24th May 1810.]

[Additional Trustees.]

Cap.

Cap. cxxxvi.

An Act for making and maintaining a Road from a Place called *Ystrad*, in the Parish of *Lanfaban*, in the County of *Glamorgan*, to *Pontymoil*, near the Town of *Pontypool*, in the County of *Monmouth*, with a collateral Branch to join the *Newport Turnpike Road* at *Risca*, in the County of *Monmouth*; and for building a Bridge at or near *Ystrad* aforesaid, and another Bridge near *Penllwyn*, in the County of *Monmouth*. (b) [24th May 1810.]

[Double Tolls on Sunday.]

Cap. cxxxvii.

An Act for making and maintaining a Road from *Brandlesome Moss Gate*, in the Township of *Elton*, to the *Duke of York's Publick House*, in the Township of *Blackburn*, and Three several Branches of Road therefrom, all in the County Palatine of *Lancaster*. (a)

[24th May 1810.]

[Double Tolls on Sunday.]

Cap. cxxxviii.

An Act to alter and amend an Act passed in the Forty fifth Year of the Reign of His present Majesty, intituled, *An Act to vest the settled Estates of John Hamilton Fitzmaurice, commonly called Lord Kirkwall, in the Counties of Denbigh and Flint, in Trustees in Trust to be sold for the Payment of Debts affecting the same, and his other settled Estates; and after Payment thereof, for the Investment of the Residue of the Monies to arise by such Sale, in the Purchase of other Estates, to be conveyed to the Uses of the said settled Estates; and for other Purposes therein mentioned.* (q. P.) [24th May 1810.] 45 G. 3. c. lxxxiv.

Cap. cxxxix.

An Act for inclosing Lands in the Parish of *Dymerchion*, in the County of *Flint*. (q. P.) [24th May 1810.]

" Allotment and Savings to His Majesty, and Bishop of *St. Asaph* as Lord of the Manor of *Istresyn*. § 20. 31. 40. 42.

Cap. cxl.

An Act for inclosing Lands within the Manor and Parish of *Culham*, in the County of *Oxford*. (q. P.) [24th May 1810.]

" Allotment and Compensation for Tithes. § 24. Allotment in lieu of Pension to Vicar. § 25.

Cap. cxli.

An Act for paving the Footways and Cross-paths, and lighting, cleansing and regulating the Streets, Lanes and other Publick Passages and Places in the Town and Parish of *Romsey Infra*, and in the Parish of *Romsey Extra*, in the County of *Southampton*.

[2d June 1810.]

Cap. cxlii.

An Act for inclosing, draining and preserving Lands in the Parish of *Thirne* in the County of *Norfolk*.

[2d June 1810.]

Cap.

Cap. cxliii.

- 9 G. 3. c. 30. Pr. An Act for amending and enlarging the Powers of an Act of the Ninth Year of His present Majesty, for the more effectual draining and preserving certain Fen Lands and Low Grounds in the Hamlet of *Wimblington*, in the Parish of *Doddington*, and in the Parish of *Chatteris*, in the *Isle of Ely*, in the County of *Cambridge*, so far as the said Act relates to the Lands in the Second District therein described. [2d June 1810.]

Cap. cxliv.

- 49 G. 3. c. clxxxiii. An Act for amending, enlarging and extending the Powers of an Act passed in the last Session of Parliament, relating to the Execution of the Commission of Sewers for the Limits from *Eap Moulsey* in *Surrey*, to *Ravensborne* in *Kent*. [2d June 1810.]

Cap. cxlv.

- An Act for repairing or rebuilding the Parish Church of *Stockport* in the County Palatine of *Chester*, and for rebuilding the Tower thereof, and for making a Cemetery or Church Yard for the Use of the said Parish. [2d June 1810.]

Cap. cxlvi.

- An Act for better and more effectually paving, lighting, cleaning, watching and otherwise improving the Streets, Ways and other Publick Passages and Places in the City and County of the City of *Exeter*. [2d June 1810.]

- “ 1 G. 3. c. 28. repealed. 46 G. 3. c. xxxix. (save as to ceasing of
“ special Obligations to repair,) repealed.

Cap. cxlvii.

- An Act for forming, paving, and otherwise improving certain Streets and other Publick Passages and Places, in the Parish of *Saint Pancras* in the County of *Middlesex*, which are or shall be made upon Ground belonging to *Joseph Lucas* Esquire. [2d June 1810.]

Cap. cxlviii.

- 35 G. 3. c. 52. An Act to alter, amend and enlarge the Powers of Two Acts, passed
41 G. 3. (U.K.) for making and maintaining a navigable Canal from the River
c. lxxviii. *Thames* or *Ips*, at or near the Town of *Abingdon* in the County of
Berks, to join or communicate with the *Kennet* and *Avon* Canal,
at or near the Town of *Trowbridge* in the County of *Wilt*, and
also certain navigable Cuts therein described. [2d June 1810.]

Cap. cxlix.

- 11 G. 3. c. 46. An Act for making more effectual Provision for lighting, watch-
33 G. 3. c. 83. ing, paving, cleaning, regulating and improving the Streets and
repealed. other Publick Places in the Parish of *Saint Luke*, in the County of
Middlesex. [2d June 1810.]

Cap. cl.

- An Act for supplying with Water *Upper* and *Lower Holloway*,
Highbury, *Cannonbury*, *Upper Islington*, and their respective Vicini-
ties,

ties, all in the Parish of *Saint Mary, Islington*, in the County of *Middlesex*, and for other Purposes relating thereto.

[2d June 1810.]

Cap. cli.

An Act for raising a further Sum of Money * for carrying into Execution the several Acts passed for making Wet Docks, Basons, Cuts and other Works, for the greater Accommodation and Security of Shipping, Commerce and Revenue, within the Port of *London*.

* [750,000l.].
See 39 & 40 G. 3.
c. xlv i.

44 G. 3. c. ii.
44 G. 3. c. 100.
45 G. 3. c. lviii.
49 G. 3. c. clvi.

[2d June 1810.]

46 G. 3. c. lix. 47 G. 3. Sess. 2. c. v.

Cap. clii.

An Act for authorizing the Removal of the Infirmary of the County of *Kildare* from the Town of *Kildare* to the Town of *Naas*.

[2d June 1810.]

Cap. cliii.

An Act for repealing an Act passed in the Thirty third Year of His present Majesty, intituled *An Act for amending, improving and keeping in Repair several Roads leading to and from the City of Bath*; and for granting other Powers for more effectually improving the several Roads therein described, being in and leading to and from the said City. (a)

33 G. 3. c. 144.

[2d June 1810.]

Cap. cliv.

An Act for more effectually amending, widening and keeping in Repair the Roads leading from the Town of *Northampton* to *Chain Bridge*, near the Town of *Market Harborough*, and from the Direction Post in *Kingsthorpe*, in the County of *Northampton*, to *Welford Bridge* in the same County. (a)

[2d June 1810.]

" 18 G. 3. c. 112. repealed.

Cap. clv.

An Act to enable Sir *Henry St. John Carew St. John Mildmay* Baronet, to exercise certain Powers of jointuring and charging certain settled Estates in the County of *Essex* with Portions for younger Children. (q. P.)

[2d June 1810.]

Cap. clvi.

An Act for vesting certain settled Estates late the Property of *Susanna Hake* deceased, in Trustees to be sold, and the Money arising from such Sale, to be applied for the Benefit of the Parties entitled to the said Estates. (q. P.)

[2d June 1810.]

Cap. clvii.

An Act for inclosing Lands in the Divisions of *Lewknor* and *Postcomb*, in the Parish of *Lewknor* in the County of *Oxford*. (q. P.)

[2d June 1810.]

" Allotment and Compensation for Tithes. § 14, 15.

Cap. clviii.

An Act for inclosing Lands in the Parish of *Kidlington* in the County of *Oxford*. (q. P.)

[2d June 1810.]

" Allotment and Compensation for Tithes. § 17. 20.

Cap. clx.

An Act for inclosing Lands in the Parishes of *Stainton* and *Edlington*, in the West Riding of the County of *York*. (q. P.)

[2d June 1810.]

“ Allotment and Compensation for Tithes. § 17, &c.

Cap. clx.

An Act for inclosing Lands in the Parish of *Cheadle*, in the County Palatine of *Chester*. (q. P.)

[2d June 1810.]

Cap. clxi.

An Act for inclosing Lands in the Parish of *Rothbury*, in the County of *Northumberland*. (q. P.)

[2d June 1810.]

Cap. clxii.

An Act for inclosing Lands in the Barony of *Prudhoe*, and in the Parish of *Ovingham*, in the County of *Northumberland*. (q. P.)

[2d June 1810.]

Cap. clxiii.

An Act for granting certain Powers and Authorities to a Company to be incorporated by Charter to be called, “ The Gas Light and “ Coke Company,” for making Inflammable Air for the lighting of the Streets of the Metropolis, and for procuring Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and essential Oil, from Coal, and for other Purposes relating thereto.

[9th June 1810.]

‘ WHEREAS Inflammable Air, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and essential Oil, may be procured from Coal: And whereas the said Inflammable Air, being conveyed by means of Pipes, may be safely and beneficially used, for lighting publick Streets, Squares, Market-Places and large Manufactories, and for lighting private Houses; and the Coke may be beneficially employed as Fuel in private Houses and Manufactories, and the said Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and essential Oil, may be used and applied in various ways with great Advantage: And whereas the Introduction of the said Articles into general Use would be greatly beneficial to the Publick: And whereas the Production and beneficial Use of such Articles will be more completely and speedily effected, if His Majesty should constitute and declare, by his Charter, that such Persons as should be named therein, and be afterwards duly admitted, for the purpose of producing such Articles for the Purposes aforesaid, should be one Body Politick and Corporate, under certain Limitations to be prescribed, and that such Powers and Authorities should be given to such Body Politick and Corporate as cannot be granted without the Aid of Parliament:’ May it please Your Majesty that it may be enacted; and be it enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in case His Majesty, by Charter, under the Great Seal of *Great Britain*, shall think fit within Three Years after the passing of this Act, to declare and grant, that such

His Majesty may grant a Charter to Persons admitted into the Gas

such and so many Persons as shall be named therein, and all and every such other Person and Persons as from time to time shall be duly admitted Members into their Corporation, shall be a Body Politick and Corporate, by the Name of "The Gas Light and Coke Company," to continue for and during the Period of Twenty one Years from the time of granting such Charter, and to declare that the said Corporation, so to be made and created, shall be established for the Purpose of producing Inflammable Air, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and essential Oil from Coal; such Corporation shall have Power to make Contracts with any Commissioners or Directors, or Trustees, having the Controul, Direction or Management of the lighting of any of the Parishes, or extra-parochial Places within the Cities of *London* or *Westminster*, or the Borough of *Southwark*, or any of the Liberties or Precincts thereof respectively, or any Persons, Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, willing and desirous of contracting with the said Corporation for the lighting of any such Parishes or Places, or any Streets, Squares, publick Market Places or Manufactories or private Houses, or Places of publick Exhibition within the said Parishes, or extraparochial Places, situate within the said Cities or Liberties thereof, or Liberties or Precincts aforesaid; and to sell and dispose of such Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor and essential Oil, and all other Products arising from Coal, under such Conditions, Limitations and Restrictions, as shall be expressed and contained in such Charter, and as are hereinafter expressed.

Light and Coke
Company.

II. And be it further enacted, That it shall be lawful for the said Corporation to raise and contribute among themselves a Capital or Joint Stock, to be applied and used in establishing and carrying on the Undertaking and Purposes aforesaid, not exceeding the Sum of Two hundred thousand Pounds Sterling, to be subscribed in Shares of Fifty Pounds each.

Stock not to ex-
ceed 200,000l.

III. Provided always, and it is hereby enacted, That the said Corporation shall not be authorized to exercise any of the Powers granted under this Act, until such time as the Sum of One hundred thousand Pounds shall have been subscribed.

100,000l. to
be subscribed be-
fore Corporation
act.

IV. And, to the intent that sufficient Provision of Money may be made for answering and paying all just Demands upon the said Corporation, and to furnish the said Corporation with Money for its necessary and lawful Occasions, it is hereby further enacted by the Authority aforesaid, That the said Corporation shall be obliged by force and virtue of the said Charter so to be granted or made as aforesaid, to raise the full Sum of Two hundred thousand Pounds within a Period not exceeding Three Years, to be computed from the time the said Charter of Incorporation shall be granted.

Joint Stock to
be raised within
Three Years.

V. And be it further enacted, That in the said Charter for establishing the said Corporation, it shall be provided, that all and every Person or Persons by or for whom any Subscription shall be made or accepted, or any Payment made pursuant to the Orders of any general Court or Courts authorized by the said Charter to be held by the said Corporation for that Purpose, for or towards the raising the said Capital Joint Stock, as aforesaid, his, her, or their Executors, Administrators and Assigns respectively, shall have and be entitled to a Share of and in the said Capital Joint Stock of the said Corporation, in proportion to the Monies to which he, she, or they shall

Subscribers to
share in Stock in
proportion to
Subscriptions.

have so contributed towards making up the same, and to a proportional Share of the Profits and Advantages attending the Capital Stock of the said Corporation, and shall be admitted to be a Member or Members of the same.

Subscribers liable to Debts of Corporation in proportion to their Share in the Stock.

VI. Provided always, and it is hereby enacted, That the several Members of the said Corporation shall respectively stand responsible and answerable for all just Debts and Demands of the Creditors of the said Corporation, to the full Amount of their several and respective Shares in the Capital of the said Joint Stock, but shall not be any further, or otherwise liable, either personally, or in their several and respective Lands, Tenements, Hereditaments, Goods, Chattels or Effects, for any Undertakings, Engagements, Contracts or Agreements, entered into by the said Corporation, or be subject or liable by reason of his or their being Members of the said Corporation, or of any of the Acts of the said Corporation, to the Statutes respecting Bankrupts, or any of them.

Stock to be divided into Shares of 50l. each. Personal Estate.

VII. And be it further enacted, That the said Sum to be so subscribed shall be divided into Shares of Fifty Pounds Sterling each, and that no Person or Persons shall be a Subscriber or Subscribers for a less Sum than Fifty Pounds Sterling each; and that all Shares in the Joint Stock and Undertaking of the said Corporation, and in the net Profits and Advantages thereof, shall be deemed Personal Estate, and not of the Nature of Real Estate, and as such Personal Estate shall be transmissible accordingly:

Proprietors to vote according to Number of Shares.

VIII. And, to the intent that all Matters and Things touching the Concerns of the said Body Corporate may be managed and conducted in the most beneficial manner, Be it further enacted, That in such Charter for establishing the said Corporation, it shall be provided, that all and every Person or Persons, who shall have subscribed for, or become entitled to, and be in the actual Possession of Two and more Shares in the said Undertaking, shall have a Vote or Votes in respect of such Shares in the General and Special Meetings of the said Body Corporate, to be held for carrying on the said Undertaking, or for any Purposes relative thereto, in proportion to the Number of Shares following; that is to say, For Two Shares, and less than Four Shares, One Vote; for Four Shares, and less than Eight Shares, Two Votes; for Eight Shares, and less than Sixteen Shares, Three Votes; for Sixteen Shares, and less than Twenty four Shares, Four Votes; and for Twenty four Shares and upwards, Five Votes; provided that no Person shall be entitled to give any Vote at any such Meeting or Meetings, unless such Person shall be possessed of Two Shares at least in the said Joint Stock or Undertaking, and shall have held such Shares for Six Calendar Months.

If Two or more Persons be joint Proprietors, the first named shall vote.

IX. And be it further enacted, That in the said Charter for establishing the said Corporation, it shall be declared, That whenever Two or more Persons shall be jointly possessed of, or entitled to Two or more Shares in the Joint Stock and Undertaking of the said Body Corporate, and in the Profits and Advantages thereof, such Persons shall be entitled to give their Vote or Votes in respect thereof, by the Person whose Name shall stand First in the Books of the said Body Corporate as joint Subscriber or Proprietor of such Shares; and that no Person or Persons shall vote at any of the Meetings of the said Body Corporate, or of the Governor, Deputy Governor, or Directors, to be appointed or chosen agreeable to the Direction of such Charter,

No Proprietor to vote if interested.

Charter, upon any Question or Questions relating to the Concerns of the said Body Corporate, in which such Person or Persons shall be in any ways interested, other than as a Subscriber or Subscribers, Proprietor or Proprietors of the said Stock and Undertaking.

X. And be it further enacted, That in such Charter for establishing such Corporation it shall be provided, that there shall be from time to time elected from the Members of the said Body Corporate, a Governor, a Deputy Governor, and Ten Directors of and in the said Body Corporate; and that no Director shall be a Dealer, either directly or indirectly, in any one of the Articles to be provided or manufactured by the said Corporation. Directors to be appointed.

XI. And be it further enacted, That in the said Charter for establishing such Corporation, it shall be provided, that there shall be held in each Year Two General Meetings of the said Body Corporate, *videlicet*, on the Twenty fourth Day of *June* and the Twenty sixth Day of *December*, or within Fourteen Days next after such Days respectively, of which several Meetings Fourteen Days Notice at the least shall be given by Advertisement in the *London Gazette*, and in Four or more of the publick Newspapers published in the City of *London*, and County of *Middlesex*, and the First General Meeting to be held by virtue of this Act, shall be holden on such of the said Days as shall first happen next after the granting of such Charter; and that all such Meetings may be adjourned from time to time, and from Place to Place, as shall be found expedient, and that the Subscribers and Proprietors at such General Meetings, or at any other Special Meetings to be called for that Purpose, of which Twenty one Days Notice shall be given in the *Gazette*, and in Two daily Morning and Two daily Evening Papers, specifying the Purpose for which such Special Meeting is called, shall have Power to elect Persons not having less than Twenty four Shares in the said Stock and Undertaking, into the Place or Places of such Governor, Deputy Governor or Directors, who shall have quitted such Office or Offices, in pursuance of any Direction to be contained in such Charter, and to elect other Persons qualified as last aforesaid, to serve in the Place of such Governor, Deputy Governor and Directors, whose Office shall have respectively become vacant by Death, Amotion, Resignation, or want of Qualification, or otherwise; and that at every such Meeting or Meetings, all Questions shall be decided by a Majority of Votes of the Subscribers and Proprietors present, according to their respective Number of Votes, such Votes to be taken by Ballot; and in case such Votes shall be equal, the Governor for the time being, or, in case of his Absence, the Deputy Governor, or in case of the Absence of such Deputy Governor, then such Person as shall be in the Chair for the time being, shall have a casting Vote; and that if any Governor, Deputy Governor or Director so first to be nominated, or at any time to be chosen, shall, during the Continuance of such his or their Office as aforesaid, by Transfer, Forfeiture, or otherwise, reduce his or their Number of Shares in the said Stock and Undertaking, below the Number of Twenty four Shares, then, and in every such Case or Cases, the Office or Offices of such Governor, Deputy Governor and Director, shall instantly cease, determine and become vacant in the same and like manner as upon the Death or Resignation of such Governor, Deputy Governor and Directors respectively; and that no Member or Members of the said Body Corporate to be chosen Governor, Two General Meetings to be held in each Year.
How Directors shall be chosen.

nor, Deputy Governor, or one of the Directors of the said Body Corporate, shall be capable of being so chosen, or of continuing such Governor, Deputy Governor, or one of the Directors as aforesaid, unless the said Number of Twenty four Shares be entered and continue in the Names of such Governor, Deputy Governor, or Director or Directors respectively, in the Books of the said Body Corporate.

Directors to continue in Office Four Years.

XII. And be it further enacted, That in the said Charter for establishing such Corporation, it shall be provided, that the said several Persons therein to be nominated and appointed the first Governor, Deputy Governor and Directors as aforesaid, who shall not resign, or be removed or become ineligible and unqualified, shall continue in their respective Offices for the Space of Four Years, and until others shall be duly elected into their Places; and that all succeeding Governors, Deputy Governors and Directors, shall successively be chosen out of the Members of the said Body Corporate, between the Twenty fourth Day of *May*, and the Twenty fourth Day of *June*, and the Governor and Deputy Governor so chosen as aforesaid, shall severally and respectively continue in their several and respective Offices of Governor, † Deputy Governor for the Space of Four Years, and until others shall be duly elected into their Places; and of the Directors so to be chosen as aforesaid, Three shall continue in Office for the Period of One Year, and other Three for the Period of Two Years, and the remaining Four for the Period of Four Years, from their being so chosen as aforesaid, to be decided by Lot.

† Sic.

Vacancies in the Direction to be filled up.

XIII. Provided always, and be it further enacted, That any Vacancy or Vacancies in the Offices of such Governor, Deputy Governor or Directors respectively, by Death, Resignation, Removal, or becoming ineligible or unqualified as aforesaid, may and shall be filled up at any Special Meeting or Meetings to be called for that Purpose in manner aforesaid; and that the Person or Persons so to be chosen to fill such Vacancy or Vacancies shall continue in his or their several and respective Office or Offices for the Space of Two Years, to be computed from the next succeeding General Election of Governor, Deputy Governor or Directors.

Directors authorised to administer an Oath.

XIV. And be it further enacted, That it shall be lawful for any Governor, or Deputy Governor, or Director so nominated, or who shall be chosen pursuant to the Directions of any such Charter, to administer an Oath as to the Possession of any Share or Shares in the said Joint Stock or Undertaking, or as to the Period of the Possession of any such Shares, and also as to the Accounts of any Person or Persons in the Employment or Service of the said Corporation, as a Treasurer, Secretary, Clerk, or other Officer or Servant of the said Corporation.

Special Meetings of the Proprietors may be convened.

XV. And be it further enacted, That in such Charter, for establishing such Corporation, it shall be provided, that if at any time it shall appear to the Governor, Deputy Governor and Directors for the time being, at any Meeting, or to any Thirty or more of the other Subscribers or Proprietors, who shall together be Holders of Three hundred Shares at the least, to be necessary or expedient to call a special Meeting of the Subscribers or Proprietors at large, for the Purpose of taking their Opinion and Determination, upon any Matter or Thing relating to the said Body Corporate; that it shall be lawful for such Governor, Deputy Governor, and Directors, of their own Authority,

thority, or at the Requisition in Writing, to be signed by such Thirty or more other Subscribers or Proprietors being Holders of at least Three hundred Shares, and which Requisition shall specify the Object of such Meeting ; and in case the Governor, Deputy Governor and Directors for the time being, shall refuse or neglect, for the Space of Fourteen Days, to comply with such Requisition, then, and in such Case, it shall be lawful for the Subscribers or Proprietors, who shall have signed the same, to call a special Meeting of the Subscribers and Proprietors at large, by Advertisement in the *London Gazette*, and in Four or more of the Newspapers, published in the City of *London*, or County of *Middlesex*, specifying the Place where and the Time when such Meeting is to be held, the Time not being less than Twenty one Days after such Notice, and the Place somewhere in *London* or *Westminster* ; and likewise specifying in such Notice, the Reason for and Intention of calling such special Meeting, and the Subscribers and Proprietors are hereby authorised to meet pursuant to such Notice, and take into Consideration the Matter or Matters to be submitted to them by the Persons calling such special Meeting, and specified in such Notice, and the Decision and Determination of the Subscribers and Proprietors present at such Meeting, or the major Part of them, according to the Number of Votes they shall have a Right to give respecting such Matter or Matters, shall be as valid to all Intents and Purposes as if the same had been made at any General Meeting of the said Body Corporate as aforesaid.

XVI. And be it further enacted, That in such Charter for establishing such Corporation, it shall be provided, that the Governor, or Deputy Governor for the time being, and Three or more of the Directors, or any Five of the Directors, if the Governor or Deputy Governor shall not be present, but not less, shall be a sufficient Number to constitute a Meeting for the Purpose of executing all such Powers and Authorities, as the Whole of the said Governor, Deputy Governor and Directors for the time being, might have executed, if assembled together ; and that all Questions, Matters and Things which shall be proposed, discussed or considered by them, shall be decided and determined by the Majority in Number of the Governor, Deputy Governor, and Directors then present ; and in case of an equal Division, the Governor for the time being, or in his Absence the Deputy Governor for the time being, shall have the casting Vote ; and that if on the Day appointed for any Meeting of the said Governor, Deputy Governor and Directors, the said Governor or Deputy Governor, and Three Directors, or Five Directors, shall not attend, that then, and in every such Case, the Meeting shall be adjourned to the next Day by the Members or Member then present, or if none be present, by the principal or Chief Clerk to the said Body Corporate, or such other Person as shall attend in his Place.

XVII. And be it further enacted, That in such Charter for establishing such Corporation, it shall be provided, that the Governor, Deputy Governor and Directors of the said Body Corporate named in the said Charter, or to be chosen agreeable to the Direction therein to be contained, shall have the Custody of the Common Seal of the said Body Corporate, and shall have full Power and Authority to meet and adjourn from time to time, and from Place to Place, and to direct the Affairs and Business of the said Undertaking, as well in issuing, receiving and laying out and disposing

Meetings of the Directors, and Regulations for their Proceedings.

Power of Directors.

of all Sums of Money to be issued or received; laid out, or disposed of, for the Purposes of the same, as in contracting for and purchasing Messuages, Lands, Tenements, Hereditaments, Materials, Goods and Chattels, for the Use of the said Undertaking, and entering into Contracts for the lighting of any such Parishes, Places, Streets, Markets, Houses or Buildings aforesaid, and in ordering, directing and employing the Works and Workmen, and in selling and disposing of all Articles produced from Coal as aforesaid, and in placing and displacing Officers, Clerks, Agents and Servants, and making all Contracts or Bargains touching or in any wise concerning the same, subject to such Orders, Bye Laws, Rules and Constitutions, as shall at any time be duly made by the said Body Corporate, in Restraint, Controul or Regulations of the Powers and Authorities to be granted by the said Charter or Indenture.

Treasurer not to
issue Money
without an Order
from Directors.

Dividends to be
made half-yearly,
&c.

XVIII. And be it further enacted, That in such Charter for establishing such Corporation, it shall be provided, that the Treasurer or Treasurers, or other Officer or Officers of the said Body Corporate, shall not issue any Sum or Sums of Money on account of the said Body Corporate, without an Order or Orders in Writing, signed by the Governor or Deputy Governor for the time being, and Three others at the least of the Directors present, or by Five Directors at some Meeting of the said Governor, Deputy Governor and Directors; and that on the Twenty fourth Day of *June* and the Twenty sixth Day of *December* in every Year, or within Fourteen Days of the same respectively, a Half-yearly Dividend or Dividends shall be made by the Governor, Deputy Governor and Directors for the time being aforesaid, out of the Interest, Profit or Advantages of the said Stock or Undertaking, at a Meeting or Meetings of the said Body Corporate, to be held at such several Times as last aforesaid respectively, unless the Subscribers and Proprietors of the said Body Corporate, shall at such Meeting or Meetings declare otherwise; and such Dividend or Dividends shall be at and after the Rate of so much in the Hundred upon all and every Sum or Sums of Money paid to the said Body Corporate, by such Subscribers and Proprietors, their Executors, Administrators, Successors and Assigns, as the said Body Corporate shall think fit at such Meeting or Meetings to appoint and determine; provided that no Dividend shall be declared, made or paid for Twelve Months after the Establishment of such Corporation: Provided always, that no Dividend shall be made, whereby the Capital of such Company shall be in any Degree reduced or impaired; and that the Governor, Deputy Governor and Directors, who shall make any such Dividend, shall be personally responsible to the Proprietors, and also to the Creditors of the said Company, for any Injury which may arise therefrom.

Calls to be made
on Subscribers.

XIX. And be it further enacted, That in the said Charter for establishing such Corporation, it shall be provided, that at every General Meeting of the said Body Corporate, the Governor, Deputy Governor and Directors for the time being, in consequence of any Resolution that shall have been first passed for such Purpose, at any Meeting of such Governor, Deputy Governor and Directors for the time being, to have been on that Account held, shall have full Power and Authority to make such Call or Calls for Money, from the several Subscribers and Proprietors of the said Undertaking, their Executors, Administrators, Successors and Assigns, as the said Governor,

vernor, Deputy Governor and Directors shall from time to time find wanting and necessary for the Purposes of the Undertaking, so that no such Call do exceed the Sum of Twenty Pounds, for or in respect of any one Share of Fifty Pounds, and so that no Call or Calls be made but at the Distance of Five Calendar Months at least from each other, and that the Sum or several Sums of Money, so to be called for, shall be paid into the Hands of the Treasurer to the said Body Corporate, to be issued and applied by virtue of an Order or Orders given to him for that Purpose; and that such Order or Orders shall be signed by the Governor or Deputy Governor for the time being and Three of the Directors at least present, or by Five of the Directors present at some Meeting of the Governor, Deputy Governor and Directors duly held, and that the said several Sums of Money so called for, shall be paid at such Time and Place, as shall be appointed by such General Meeting of the said Body Corporate; of which Time and Place, One Calendar Month's Notice at least shall be given in the *London Gazette*, and in Four or more of the said daily Newspapers, published in *London* or *Middlesex*, or in such other manner as the said Governor, Deputy Governor and Directors, shall at any Meeting direct and appoint in that behalf; and that if any Person or Persons shall neglect or refuse to pay his, her or their Proportion of the Money so to be called for, during the Space of Three Calendar Months, next after the Time appointed for Payment thereof, then in such case, such Person or Persons, so neglecting or refusing, shall absolutely forfeit all his, her or their Share, Part and Interest in the said Undertaking and Capital Stock, and all Profit and Advantage thereof, and all Money theretofore advanced by him, her or them, on account thereof, to and for the Use and Benefit of the said Corporation; and that all Shares which shall or may be so forfeited, shall or may be sold at a publick Sale for the most Money that can be gotten for the same, and the Produce thereof shall go to and make Part of the Capital or Joint Stock of the said Body Corporate; but that no Advantage shall be taken of such Forfeiture of any Share in the said Undertaking as aforesaid, until after Twenty one Days Notice shall be given by the Treasurer or Clerk to the said Body Corporate, to the Owner or Owners thereof, or Notice in Writing left at his, her or their usual or last Place of Abode; nor unless the same shall be declared to be forfeited, at the first Meeting of the Subscribers and Proprietors, which shall be held not earlier than Two Months next after the said Forfeiture shall happen; and that every such Forfeiture so to be declared, shall be an absolute Indemnification and Discharge to and for the Subscriber or Subscribers, Proprietor and Proprietors, or their Executors, Administrators, Successors and Assigns so forfeiting, against all Actions, Suits and Prosecutions, for any Breach of Contract or other Agreement, between such Subscriber or Subscribers, Proprietor or Proprietors, his, her or their Executors, Administrators, Successors or Assigns, and the said Body Corporate with regard to the future carrying on and Management of the said Undertaking.

In Default of Payment of Calls, Shares to be forfeited;

but Notice first to be given.

XX. And be it further enacted, That in the said Charter for establishing such Corporation, it shall be provided, that if any Person or Persons, Subscriber or Subscribers, Proprietor or Proprietors of any Share or Shares in the said Undertaking, shall die before Payment shall have been made by him or her, of the full Sum to be

Executors, &c. indemnified in paying Calls.

called for, or in respect thereof as aforesaid, without having made any sufficient Provision, by Will or otherwise, how such Share or Shares shall be disposed of, and how the future Calls in respect thereof shall be answered; that then, and in such Case, the Executors or Administrators of such Proprietor, and the Trustees or Trustee, Guardian or Guardians of any Infant or other Person, entitled to the Estate and Effects of such Subscriber or Subscribers, Proprietor or Proprietors, shall be indemnified against such Infant, and all other Persons whomsoever, for paying any Money which shall be called for as aforesaid, in respect of the Share or Shares of such deceased Proprietor.

XXI. And, in order that where the original Subscriber of One or more Share or Shares in the said Undertaking shall die, become insolvent or bankrupt, or go out of the Kingdom, or shall transfer his Right and Interest to some other Person, and no Register shall have been made of the Transfer thereof, with the Clerk to the said Corporation, it may not be in the Power of the said Body Corporate, or any Officer acting for the said Body Corporate, to know who is the Owner or Proprietor of such Share or Shares, in order to give him, her or them, their Executors, Administrators, Successors and Assigns, Notice or Notices of Calls to be made on such Share or Shares, and to maintain any Action or Actions against him, her, or them, their Executors, Administrators, Successors and Assigns, for the Recovery of the same, or for the Purpose of safely paying to him, her or them, their Executors, Administrators, Successors and Assigns, the Interest or Dividends to which he, she or they may be entitled by virtue thereof, Be it further enacted, That in the said Charter for establishing such Corporation it shall be provided, that in all the Cases aforesaid, where the Right and Property in one or more Share or Shares in the said Undertaking shall pass from the original Subscriber or Subscribers, or any Proprietor or Proprietors thereof, to any other Person or Persons, by any other legal means than by a Transfer or Conveyance thereof, in the Form and Manner to be specified in such Charter, an Affidavit shall be made and sworn to by Two credible Persons, before one of His Majesty's Justices of the Peace, stating the manner in which such Share or Shares hath or have passed to such other Person or Persons, their Executors, Administrators, Successors and Assigns, and that such Affidavit shall be transmitted to the Clerk to the said Body Corporate, to the intent that he may enter and register the Name or Names of every such other Proprietor or Proprietors in the Register Book, or List of Subscribers and Proprietors to the said Undertaking, to be kept in the Office of the said Clerk; and that in all or any of the said Cases, it shall be lawful for the Subscribers and Proprietors at any General Meeting, after Three Calendar Months Notice shall have been given by the said Treasurer or Clerk to the Owners or Persons claiming by such Affidavit to be Owner or Owners thereof, and that such Person or Persons, their Executors, Administrators, Successors and Assigns, shall not have paid his, her, or their Proportion of the Money becoming payable by virtue of any Call or Calls, and after Notice thereof shall have been given Three Times, at the Intervals of Ten Days between each Advertisement, in some Four Newspapers circulated in the said County of *Middlesex* and City of *London*, to declare at any General Meeting the same Share or Shares to be forfeited,

For ascertaining
the Proprietor-
ship of Shares in
certain Cases.

feited, and that in such Case the same shall be and become forfeited, and be sold and disposed of in such manner as the said Subscribers and Proprietors at any Meeting or Meetings shall direct, or otherwise become consolidated in the General Fund of the said Body Corporate.

XXII. And be it further enacted, That in such Charter for establishing such Corporation it shall be provided, that it shall be lawful for the several Subscribers and Proprietors of the said Undertaking, their Executors, Administrators, Successors and Assigns, to sell and transfer any Share or Shares of which they shall respectively be possessed, and every such Transfer shall be in the Form and to the Effect following :

Shares may be transferred.

‘ I do hereby assign and transfer to
 ‘ his Executors, Administrators and Assigns (or to
 ‘) and their Successors, all my Share or
 ‘ Shares (*specifying the Number*), in the Joint Stock and Undertak-
 ‘ ing of “The Gas Light and Coke Company,” and to the net
 ‘ Profit and Advantages thereof, and all my Right, Title and
 ‘ Interest therein. Witness my Hand, this
 ‘ Day of in the Year ,

Form of Shares.

And that every such Transfer shall be registered in the Books of the said Body Corporate, and a Copy of such Register, signed by the Clerk or other Officer of the said Body Corporate, duly authorized thereto, shall be sufficient Evidence of every such Sale and Transfer, and received as such in all Disputes and in all Trials before any Court in the United Kingdom of *Great Britain and Ireland*; and that until such Transfer shall be so registered in the Books of the said Body Corporate as aforesaid, no Purchaser or Purchasers of any Share or Shares aforesaid, their Executors, Administrators, Successors and Assigns, shall have any Part or Share in the said joint Stock and Undertaking, or in the Profits and Advantages thereof, nor shall receive any Interest or Dividend for or in respect of such Share or Shares so purchased, nor be entitled to vote at any Meeting or Meetings, as Subscriber or Subscribers, Proprietor or Proprietors of the said Undertaking.

Transfers to be registered.

XXIII. And be it further enacted, That the said Corporation shall not borrow, or take up by way of Loan, any Sum or Sums of Money whatsoever, other than by a Subscription for Shares in Manner and to the Extent hereinbefore directed.

Corporation not to borrow Money.

XXIV. Provided always; and be it further enacted, That in the said Charter it shall be provided, that the said Body Corporate shall, upon due and reasonable Application made to them for that Purpose, on the Behalf of any Parish or Parishes, or Parts of any Parish or Parishes, or extra-parochial Place or Places, within the Cities of *London and Westminster* aforesaid, the Borough of *Southwark*, Suburbs, Precincts and Liberties of the same Cities undertake to furnish, and shall furnish such Parish or Parishes, or such Parts of any Parish or Parishes respectively, with a sufficient Supply of Inflammable Air, for the Purposes of lighting the said Parish or Parishes, or Part or Parts thereof, with a stronger and better Light, and at a cheaper and lower Price, all Expenses included, than such Parish or Parishes, or Part or Parts of Parishes, could be supplied with, if lighted in the usual manner, during the Existence of the Contract which they may enter into with the said Corporation: Provided also, that no-

Corporation not to light Parishes beyond Extent of their Capital.

thing

thing herein contained shall extend to compel or require the said Body Corporate to expend any greater Sum or Sums of Money for the Purposes to be mentioned or expressed in the said Charter, than the Members of the said Corporation shall be thereby, or by this Act be authorized to subscribe or contribute for the Purposes of the said Undertaking, nor to contract with any such Parish or Parishes, or Place or Places, for a less Term than Fourteen Years, but at the Option of the said Body Corporate.

In what Case
Contract with
Parishes void.

XXV. And be it further enacted, That every Contract or Agreement entered into by any Parish or Parishes, or Parts of Parishes, with the said Corporation, shall contain a Clause providing that the said Contract shall be null and void, if at any time the Price charged for Inflammable Air used in lighting the Parish shall be greater than what at the time shall be paid for lighting any Part of *London, Westminster or Southwark*, with Oil in the usual manner.

Powers of supply-
ing Air, limited
to London, West-
minster, &c.

XXVI. Provided always, and be it further enacted, That the said Body Corporate shall not under any Pretence or Pretences, or by any Ways or Means contract to supply, or shall be permitted to supply with such Inflammable Air as aforesaid, for the Purpose aforesaid, any Parish or Parishes, or any Part or Parts of Parishes, that shall not lie or be situate within the Cities of *London or Westminster*, or one of them, or the Borough of *Southwark*, or the Suburbs, Liberties or Precincts of the said Cities or Borough respectively or adjacent thereto.

Not to supply
any House out
of the Line of
Main Pipe.

XXVII. And be it further enacted, That the said Body Corporate shall not, by any Ways or Means, or under any Device or Devices, supply or undertake to supply any Dwelling House or Houses, Manufactories, publick or private Buildings whatever, with the said Inflammable Air, for any of the Purposes aforesaid, except only such House or Houses, Manufactories or Buildings, which can be supplied from such main Pipe or Pipes as shall be laid down by the said Body Corporate, for the Purposes of supplying any Parish or Parishes or Streets, or Part or Parts of any Parish or Parishes with such Inflammable Air, for the Purposes aforesaid.

No Machinery
for conveying
Gas to Private
Houses to be
sold.

XXVIII. And be it further enacted, That the said Body Corporate shall not by any Ways or Means, or under any Pretence or Pretences, contract to sell and furnish, or shall sell or furnish any Stove, or Pipe or Pipes, or Apparatus or Machinery of any Description whatever, for the Purpose of conveying, or whereby such Inflammable Air as aforesaid, or any Quantity thereof may be conveyed into any Dwelling House or Houses, Manufactories, publick or private Buildings, for the Purpose of lighting the same.

In what Case His
Majesty may de-
clare Charter
void.

XXIX. And be it further enacted, That in the said Charter, it shall be declared, that if at any time hereafter during the Continuance of the said Body Corporate, the said Body Corporate shall omit, neglect or refuse to carry into Effect and fulfil the Provision hereby directed to be inserted in the said Charter, that the said Body Corporate shall, upon due and reasonable Application made to them for that Purpose, on the behalf of any Parish or Parishes, or Parts of any Parish or Parishes, extra-parochial Place or Places, Part or Parts thereof, within the said Cities of *London and Westminster*, Borough of *Southwark*, their Suburbs, Precincts and Liberties respectively, undertake to furnish such Parish or Parishes, or such Parts, or such extraparochial Place and Places respectively with a sufficient Supply

Supply of Inflammable Air for the Purposes of lighting the said Parish or Parishes, or Part or Parts thereof, or such extra-parochial Place or Places respectively, Part or Parts thereof, with a stronger and better Light, and at a cheaper and lower Price than such Parish or Parishes, or Part or Parts of Parishes, extra-parochial Place or Places, Part or Parts thereof, shall have usually been supplied with under the Stipulations and to the Extent in the said Charter to be expressed, or shall in any manner act contrary to or in violation of the Provision to be inserted in the said Charter: that the said Body Corporate shall not under any Pretence or Pretences, or by any Ways or Means contract to supply, or shall be permitted to supply with such Inflammable Air as aforesaid, for the Purposes aforesaid, any Parish or Parishes, Part or Parts of Parishes, extra-parochial Place or Places, or Part or Parts of such extra-parochial Place or Places, that shall not lie or be situate within the Cities of *London* and *Westminster*, or one of them, or in Parts adjacent to the said Cities, or within the Town and Borough of *Southwark*, in the County of *Surrey*, or shall in any Manner or Respect act contrary to or in violation of the Provision to be made in the said Charter; that the said Body Corporate shall not by any Ways or Means, or under any Device or Devices, supply or undertake to supply any Dwelling House or Houses, Manufactories, publick or private Buildings whatever with the said Inflammable Air, for any of the Purposes aforesaid, except only such House or Houses, Manufactories or Buildings, which can be supplied from such Main Pipe or Pipes as shall be laid down by the said Body Corporate, for the Purpose of supplying any Parish or Parishes, Part or Parts of any Parish or Parishes with such Inflammable Air for the Purpose aforesaid; or shall in any Manner or Respect act contrary to or in violation of the Provision to be contained in the said Charter; that the said Body Corporate shall not by any Ways or Means, or under any Pretence or Pretences contract to sell or furnish, or shall sell and furnish any Stove or Pipe or Pipes, or Apparatus or Machinery of any Description whatever for the Purpose, or whereby such Inflammable Air as aforesaid, or any Quantity thereof may be conveyed into any Dwelling House or Houses, Manufactories, publick or private Buildings, for the Purpose of lighting the same, it shall in any or either of the said Cases be lawful for His Majesty his Heirs or Successors, by any Letters Patent under the Great Seal of *Great Britain*, to revoke and make void the said Corporation, and all the Powers, Privileges, Benefits and Advantages to be granted to such Corporation as aforesaid, and thereupon the same shall determine and become void accordingly.

XXX. And whereas the said Inflammable Air or Gas cannot be used for lighting the publick Streets, Ways or Passages as aforesaid, unless the said Air or Gas be conveyed by means of Pipes to be properly laid for that Purpose; Be it further enacted, That if at any time after the passing of this Act, any Commissioners or Trustees, or other Persons, Bodies Politick or Corporate, in whom, by any Act or Acts of Parliament, or otherwise, the Care, Superintendence and Controul of lighting the publick Streets, Highways, Lanes, Passages, or any Part thereof, in the Cities of *London* and *Westminster*, or within the Town and Borough of *Southwark*, in the County of *Surrey*, should think it fit and convenient to contract with the said Body Corporate, or with any other Person or

Power in certain Cases to break up the Soil and Pavement of Streets, &c. for laying Pipes, &c.

Persons

Persons whomsoever, to light the publick Streets, Highways, Lanes or Passages, or any Part of them, in the Cities, or Town, or Borough aforesaid, by Means of such Gas as aforesaid; that then, and in all such Cases, it shall and may be lawful for the said Body Corporate and their Successors, and for such other Person or Persons as aforesaid, and they are hereby fully authorized and empowered, with the Approbation and under the Direction of such Commissioners or Trustees, by their Servants, Workmen and others, to break up the Soil and Pavements of any such Streets, Ways, Lanes and Passages, and dig and sink Trenches and lay Pipes, and put Stop Cocks or Plugs, or Branches from such Pipes, in such Places as aforesaid, and in such manner as shall be necessary for the Purpose of carrying this Act into Execution, or supplying any such Light as aforesaid, and from time to time to alter the Position of, and to repair, relay and maintain such Pipes, Stop Cocks and Plugs, and do all such other Acts, Matters and Things, as the said Body Corporate and their Successors, or such other Person or Persons as aforesaid, shall, from time to time, think necessary and convenient for completing, amending, repairing, improving and using the same.

Workmen in
laying or repair-
ing Pipes to
make good the
Pavement.

XXXI. Provided always, and be it further enacted, That the Workmen employed in laying or repairing any such Pipes, shall fill in the Trenches and make good the Pavements and Roads, and carry away the Rubbish occasioned thereby as soon as conveniently may be, and in the mean time guard the Place where any Ground shall be opened, in such manner as to prevent Accidents to Passengers, Cattle and Carriages and as the said Commissioners or Trustees shall direct: Provided always, that if there shall be any wilful or negligent Delay in the said Company of Proprietors, or in any of the Agents or Servants, or any such other Person or Persons as aforesaid, in filling in any such Ground, or removing Rubbish, or making good any such Pavements or Roads, then, and in every such Case, the said Company of Proprietors, or such other Person or Persons so offending respectively, shall, on being thereof lawfully convicted, on the Oath of One credible Witness, before One or more Justice or Justices of the Peace for the County, City, Town, Place, Division or District where the said Offence shall be committed, forfeit and pay any Sum not exceeding Five Pounds, which said Penalty, if not forthwith paid, shall be recovered by Distress and Sale of the Goods and Chattels of the said Company of Proprietors, or such other Person or Persons, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices of the Peace as aforesaid, and which Warrant such Justice or Justices is and are hereby empowered to grant; and such Penalty or Forfeiture, after the Charges of such Distress and Sale are deducted, shall be paid upon Demand to the Person or Persons giving Information thereof.

Penalty.

If Contracts be
not duly per-
formed they may
be voided on
giving Notice,
&c.

XXXII. Provided always, That if the said Body Corporate shall contract with any such Commissioners or Trustees as aforesaid, for lighting any Parish or Place, or Part of any Parish or Place, and shall not duly perform such Contract, then, and in such Case, it shall be lawful for such Commissioners or Trustees to determine such Contract, giving Six Months Notice thereof; and then, and in such Case, and also at the Expiration of any such Contract, it shall be lawful for the said Commissioners or Trustees either to purchase the Pipes,
Cocks,

Cocks, Plugs, Branches of Pipes, and other Materials belonging to the said Body Corporate, and employed in lighting such Parish or Place, or Part of a Parish or Place, at a reasonable Price to be settled by Two Persons, one to be named by the said Commissioners or Trustees, and the other by the said Body Corporate; and in case such Persons shall differ, by a Third Person to be named by such Two Persons as an Umpire between them, One Month at the least previous to the Expiration of the Term of such Contract, or to the Expiration of such Six Months Notice for determining such Contract, or to remove such Pipes, Cocks, Plugs, Branches and other Materials, at the Expiration of such Contract or Determination thereof by such Notice, and in the mean time to permit such Commissioners or Trustees to lay such Pipes, Cocks, Plugs, Branches, and other Articles as shall be necessary for the Supply of such Parish or Place, or Part of a Parish or Place, at the Expiration or sooner Determination of such Contract.

XXXIII. Provided always, and it is hereby further enacted, That no Person shall lay, or cause to be laid, any iron, leaden or other Pipe, to communicate with any Pipe belonging to the said Body Corporate, or such other Person or Persons as aforesaid, without the Consent of the said Body Corporate, or the Person or Persons supplying Lights by such Pipes, first had and obtained, on pain of forfeiting the Sum of Fifty Pounds, and also the further Sum of Forty Shillings a Day for every Day such Pipe shall so remain, to be recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal, or Hands and Seals, of any Justice or Justices of the Peace for the County, City, Town, Place, Division or District where the said Offence shall be committed, and which Warrant such Justice or Justices is and are hereby empowered to grant, and the Surplus, after such Penalty or Forfeiture, and the Charges of such Distress and Sale are deducted, shall be returned, upon Demand, to the Owner of such Goods and Chattels; and in case sufficient Distress cannot be found, or such Forfeiture shall not be forthwith paid, it shall be lawful for such Justice or Justices to cause such Offender or Offenders to be committed to the Common Gaol of the said County, City, Town, Place, Division or District, there to remain, without Bail or Mainprize, for such time as such Justice or Justices shall direct, not exceeding Two Calendar Months, unless such Forfeiture, and all reasonable Charges, be sooner paid and satisfied.

No Pipes of Communication to be laid without Consent of Corporation.

Penalty.

Imprisonment.

XXXIV. And be it further enacted, That if any Person shall wilfully and maliciously remove, take away, destroy, damage or injure any or any Part of any Pipe, Post, Plug, or other Matter or Thing, actually in use during the Existence of any Contract with any Parish or Parishes, for the Purpose of fulfilling such Contract, every Person so offending in any of the respective Premises, and being thereof lawfully convicted on the Oath of One credible Witness, before One or more Justice or Justices for the County, City, Town, Place, Division or District where the said Offences shall be committed, shall forfeit and pay to the aforesaid Body Corporate and their Successors, or such other Person or Persons as aforesaid, Double the Amount of the Damage proved upon Oath, to be done at the Discretion of such Justice or Justices; such Penalty, together with reasonable Costs, to be levied by Distress and Sale of the Goods and Chattels of such

Damaging Pipes, &c.

Penalty.

such Offender, retaining the Overplus (if any) or such Offender shall and may be committed to the common Gaol of the said County, City, Town, Place, Division or District, for any time not exceeding Three Months, at the Discretion of the Justice or Justices before whom such Offender shall be committed.

Appeal.

XXXV. And be it further enacted, That any Person or Persons thinking himself, herself or themselves aggrieved by any Judgment or Determination of any Justice or Justices of the Peace, relating to any Matter or Thing in this Act mentioned or contained, may within six Calendar Months next after such Order, Judgment or Determination shall have been made or given, (first giving Fourteen Days Notice of such Complaint to the Person or Persons against whom such Complaint is intended to be made) complain to the Justices of the Peace at the General Quarter-Sessions to be held in and for the County in which the Cause of Appeal shall arise, who shall in a summary way either hear and determine the said Complaint at such General Quarter-Sessions, or if they think proper may adjourn the Hearing thereof to the next General Quarter-Sessions of the Peace to be held for such County, and the said Justices may, if they see Cause, mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Determination, and may also order and award such further Satisfaction to be made to the Party injured as they shall judge reasonable; but no Proceedings to be had and taken in pursuance of this Act shall be quashed or vacated for want of Form, or be removed by *Certiorari* or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere; any Law or Statute to the contrary notwithstanding.

Provide for Rights of Persons to light Streets, &c.

XXXVI. Provided always, and be it further enacted, That nothing in this Act contained shall have the Effect of depriving any Person or Persons of any Right which he or they at present possess, or of interfering with any Right which he or they may hereafter acquire, of lighting Streets or Houses with Gas Lights, or in any other manner: Provided also, that nothing in this Act contained shall extend, or be construed to defeat, abridge, alter, obstruct, or in any manner interfere with the Powers and Authorities of the Commissioners or Trustees for lighting or paving, or of the Commissioners of Sewers, or the New River Company, or any other Company established for the Supply of Water in or for any of such Parishes or Places, or any Part or Parts thereof, or the Rights of any Person or Persons to make, enlarge, repair or amend any Vault under any Street within such Parishes or Places: Provided also, that nothing herein contained shall extend or be construed to prevent any Person or Persons from proceeding against the said Company, or against any of their Officers, Servants or Workmen, in respect of any Works of the said Company, or the Method which shall be employed by them for furnishing such Light as aforesaid, as a publick or private Nuisance, or from bringing any Action against the said Company, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works or Method of lighting, whether such Injury shall proceed from the Nature of such Method of lighting, or the Carelessness or want of Skill of the Persons employed therein.

Publick Act.

XXXVII. And be it further enacted, That this Act shall be deemed, adjudged and taken to be a Publick Act, and shall be judicially

judicially taken Notice of as such by all Judges and Justices and others, without being specially pleaded.

Cap. clxiv.

An Act for building certain Offices for the Examiners, Curstors, Clerk of the Crown and Clerks of the Petty Bag, of the High Court of Chancery; and for making certain Regulations in the Examiner's Office of the said Court; and for making Provision for such of the Examiners, Deputy Examiners and Clerks, as from Length of Service or from Age or Infirmary, are or shall be incapacitated from the due Execution of their Offices; and for making Provision for other Officers of the said Court; and for making other Payments in respect of the said Offices.

[9th June 1810.]

WHEREAS the due Execution of the Office of *Examiner of the High Court of Chancery*, by Persons qualified and competent to discharge the important Duties of the said Office, is of the utmost Consequence to the Administration of Justice, and the Interest of the Suitors of the said Court: And whereas the said Office hath heretofore been and is now held for Life; and Doubts are entertained whether there is any where competent Authority to remove the Person or Persons who now or hereafter may hold the said Office, if at any time by reason of Sickmess, Infirmary, or other Cause, he or they should be unable or incompetent to discharge the Duties of the said Office: And whereas *Henry Flitcroft* Esquire, one of the Persons holding the said Office, is now and hath for a considerable time been a Lunatic Ward of the said Court of Chancery, and wholly incompetent to the Discharge of the Duties of the said Office: And whereas the Persons who have discharged the Duties of the said Office, have frequently been engaged in other Employments and Pursuits, whereby Delays, Hindrances and Impediments, and other Inconveniences have been occasioned to the Suitors of the said Court, in the Prosecution of their Suits therein: And whereas it would be expedient that in future the Business of the said Office should be executed by the Persons holding the same in their own Persons, and that they should be expressly prohibited from acting as Counsel, Solicitors, Attornies, Clerks in Court or Draftsmen, or as Agents or Clerks to any Person acting in any of those Capacities, or in any other Respect or Capacity in any way connected with the said Court of Chancery, or any Suit or Matter depending therein, or before the Lord High Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal, or the said Court of Chancery; and that the Business of the said Office should, as near as may be, be equally divided and go in rotation amongst the Persons holding the said Office; and that Witnesses on different Sides of the same Cause should be examined by different Examiners; and it is reasonable that Compensation should be made to such of the present Examiners and Deputy Examiners as chuse to decline to continue their Service in the said Office, upon the Conditions and under the Restrictions hereby intended to be imposed upon them: And whereas the Fees and Emoluments of the said Office are (regard being had to the great Increase in the Necessaries of Life and the Expence of Living) not adequate to the Attendance, Trouble and Importance of their Offices

Offices and to their Services; and it would be for the Benefit of the
 Suitors of the said Court, that adequate Provision should be made
 for the Persons who shall be appointed to discharge the Duties of
 the said Office: And whereas the Business of the Examiner's
 Office of the said Court of Chancery, and also of the Clerk of
 the Crown and the Clerks of the Petty Bag, is carried on in one
 and the same Building, in the Rolls Yard in the Liberty of the
 Rolls, in the County of *Middlesex*, and the same is out of Repair,
 and insufficient for the necessary Accommodation of Witnesses whilst
 under Examination in the said Court, and for the Purposes of the
 said Office of Examiner and the other Offices there carried on:
 And whereas it would be for the Benefit of the Suitors of the said
 Court, that proper Provision should from time to time be made for
 such of the Examiners of the said Court and their Clerks as from
 Age or Infirmary are or shall, in the Judgment of the said Court,
 be incapacitated to perform the Duties of their respective Offices;
 and also that Provision should be made for putting the said Offices
 into proper and substantial Repair, or for rebuilding the same if
 necessary, and for other Payments and Expences incident to the
 said Office; and that such other Regulations should be made re-
 specting the said Office, as are hereinafter mentioned and contained:
 And whereas the Freehold of the said Premises or Part thereof is
 now vested in the principal Examiners of the said Court, and in the
 Clerks of the Petty Bag, for their respective Lives, and during
 their Continuance in Office, for the Purposes of the said Office;
 and it would be for the Benefit of the Suitors of the said Court
 that the Freehold of the said Premises should in future be vested in
 the Master of the Rolls and his Successors, for the Purposes of the
 said Offices of the said Court of Chancery, and that proper Com-
 pensation should be made to the said Principal Examiners and to the
 Two junior Clerks of the Petty Bag, for their several Interests in
 the said Premises respectively: And whereas there appertains to
 the said Court of Chancery certain other Officers, called the Usher
 and Court Keeper of the said Court of Chancery, who, among
 other Duties of their said Offices, have been required to furnish
 the said Court with Stationary and other Articles requisite and
 necessary for the Use of the said Court, and have been and are
 allowed to charge for the same a *per Centage* thereon, over and
 above the Cost of the Articles so furnished, as Part of their Re-
 muneratation for undertaking and discharging their said Offices; and
 the same is an improper Mode of remunerating the said Officers,
 and is open to great and continual Abuse, and ought to be discon-
 tinued for the future, and that the said Officers should be remu-
 nerated in some other more fit and proper Manner: And whereas
 there also appertains to the said Court of Chancery certain other
 Officers called the Cursitors, who transact the Business of their said
 Office, and keep the Records of their said Office, in the First Floor
 of a certain Building, situate in *Chancery Lane*, many Years held,
 and now holden by the said Officers as Tenants at Will thereof,
 under a private Individual: And whereas the said Records are of
 considerable Importance, and by being kept in an Office so circum-
 stanced, are exposed to greater Risk than accords with the Import-
 ance of the said Records; and it is expedient that the same should
 be deposited and kept in some more safe and secure Place, and that

a per-

a permanent Repository be provided for the same, and a proper
 Place be provided for transacting the Business of the said Office:
 And whereas the Proceedings of the said Court of Chancery have
 of late been frequently interrupted by various Persons improperly
 intruding themselves into the said Court, and there are not any, or
 however an insufficient Number of Persons in Attendance on the
 said Court, to prevent such Intrusion and Interruption, and it is
 expedient that the same should be prevented in future: And whereas
 by virtue of an Act passed in the Thirty second Year of the Reign
 of His present Majesty, intituled, *An Act to empower the High* 32 G. 3. c. 42.
Court of Chancery to lay out a further Sum of the Suitors' Money
upon proper Securities, and for applying the Interest towards dis-
charging the Expences of the Office of the Accountant General, and for
building Offices for the Masters in Ordinary in Chancery, and a Pub-
lick Office for the Suitors of the said Court, and Offices for the Secre-
taries of Bankrupts and Lunatics, and for building Repositories for
securing the Title Deeds of the Suitors of the said Court and the Re-
cords and Proceedings of the Commissioners of Bankrupts and Lu-
natics, and of the several Acts in the said Act mentioned, divers
 Sums of Money have been by virtue of the several Orders of the
 said Court made for that Purpose taken out of the common and
 general Cash belonging to the Suitors of the said Court of Chan-
 cery, which lay dead and unemployed in the Bank of England,
 and have been placed out in the Name of the Accountant General
 of the said Court on Government or Parliamentary Securities, and
 such Government or Parliamentary Securities have been, in pur-
 suance of the said Act passed in the Thirty second Year of His
 present Majesty's Reign, carried to an Account, intituled, *Ac-*
count of Monies placed out for the Benefit and better Security of
the Suitors of the High Court of Chancery; and out of the Divi-
 dends and Interest of the Securities purchased in pursuance of
 the said several Acts of Parliament, the several annual Sums and
 Salaries, and the several other Payments thereby directed to be
 made and to be paid, and also the several other Payments directed
 to be made in and by the Two several Acts of the Forty sixth
 Year of the Reign of His present Majesty, one of them intituled,
An Act for making Provision for such Masters in Ordinary of the 46 G. 3. c. 122.
High Court of Chancery as from Age or Infirmary shall be desirous
of resigning their Offices with the Approbation of the said Court; and
for augmenting the Income of the Masters in Ordinary of the said
Court, and the other of such Acts intituled, An Act to provide 46 G. 3. c. 123.
additional Salaries to the present Clerks in the Office of the Accountant
General of the High Court of Chancery, and to provide additional
Clerks for the said Office with Salaries; and to make other Payments
in respect of the said Office; and by the Act of the Forty ninth Year
 of the Reign of His present Majesty, intituled, *An Act for mak-* 49 G. 3. c. 124.
ing Provision for such of the Sub Registrars or Deputy Registrars
of the High Court of Chancery as from Age or Infirmary shall be
afflicted with permanent Disability, and be incapacitated for the due
Execution of their Office; and for making further Provision for the
Two Seniors of the said Registrars, for the Clerks in the Register's
Office, for the Master of the Report Office, and for providing addi-
tional Clerks in the Report Office of the said Court, and for making
other Payments and Regulations in respect of the said Offices; have
 50 G. 3. c. 111. H h been

' been from time to time made and paid, and the Surplus Interest
 ' and annual Produce arising from the said Securities, beyond what
 ' was sufficient to answer the Purposes of the said several Acts, and
 ' also the Interest produced from the Securities purchased with such
 ' Surplus Interest and annual Produce, have been from time to time,
 ' in pursuance of the said first mentioned Act, laid out in the Pur-
 ' chase of Government or Parliamentary Securities in the Name of
 ' the Accountant General of the said Court, and placed to the Credit
 ' of an Account, intituled, *Account of Securities purchased with Sur-*
 ' *plus Interest arising from Securities carried to an Account of Monies*
 ' *placed out for the Benefit and better Security of the Suitors of the High*
 ' *Court of Chancery*: And whereas from many Years Experience it
 ' hath been found that there always hath been and there now is a
 ' very large Sum of Money belonging to the Suitors of the said
 ' Court of Chancery, which lies dead and unemployed in the Bank
 ' beyond the Demands of the Suitors, and it will be of Benefit to
 ' the Suitors of the said Court that a further Sum of Money, Part
 ' of the Money lying dead and unemployed as aforesaid, should be
 ' placed out at Interest on Government or Parliamentary Securities,
 ' and the Interest thereof, or so much thereof as shall be necessary,
 ' applied for the Purposes hereinafter mentioned; Therefore be it
 enacted by the King's Most Excellent Majesty, by and with the Ad-
 vice and Consent of the Lords Spiritual and Temporal, and Com-
 mons, in this present Parliament assembled, and by the Authority of
 the same, That out of the Cash belonging to the Suitors of the said
 Court of Chancery which now lies or which shall hereafter lie dead
 and unemployed in the Bank of *England*, a Sum not exceeding
 Two hundred thousand Pounds shall and may, by virtue of any Order
 or Orders of the said Court to be made for that Purpose, from time
 to time be placed out in one entire Sum or in Parcels, in the Name
 of the Accountant General of the said Court of Chancery, according
 to the General Rules and Orders of the said Court, on such Govern-
 ment or Parliamentary Securities as in and by such Orders shall be
 directed, to the intent that the Interest and annual Produce arising
 from the Money so to be placed out may be applied for the Pur-
 poses hereinafter mentioned; and that all such Government or Par-
 liamentary Security or Securities when purchased shall be carried to
 the said Account, intituled, *Account of Monies placed out for the*
Benefit and better Security of the Suitors of the High Court of
Chancery.

A certain Part of
 Cash belonging
 to Suitors placed
 out at Interest.

Freehold of
 Examiner's Of-
 fice vested in the
 Master of the
 Rolls for the
 time being.

II. And be it further enacted, That the Freehold of the Premises
 in the *Rolls Yard, Chancery Lane*, in the Liberty of the Rolls aforesaid,
 where the Business of the said Office of Examiners, and also of
 the Offices of the Clerk of the Crown and the Clerks of the Petty
 Bag is now carried on, with its Rights, Members, and Appurte-
 nances, and all other Premises, if any, which shall hereafter be pur-
 chased for the Purposes of the said Offices, together with all Build-
 ings now or hereafter to be erected thereon, shall, from and after the
 passing of this Act, or the Purchase of such Premises, if any, be
 and the same are hereby vested in the Master of the Rolls, to hold
 to him and his Successors for the time being for the Use and for the
 Purposes of the said Offices, and subject to such Rules and Regula-
 tions, respecting the Use and Occupation thereof and of the Rooms
 and Chambers thereunto belonging or therewith occupied, as the
 Court

Court of Chancery shall from time to time order and direct, and to and for no other Use, Intent or Purpose whatsoever.

III. And be it further enacted, That out of the Interest and Dividends arising from Securities purchased in pursuance of the said Act passed in the Thirty second Year of the Reign of His present Majesty, and the several Acts therein mentioned, and to be purchased in pursuance of this Act and carried to the said Account, intituled, *Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery*, and also out of the Interest and Dividends of Securities purchased and to be purchased with Surplus Interest, in pursuance of the said Acts or any of them, or in pursuance of this Act, and carried to the said Account, intituled, *Account of Securities purchased with Surplus Interest arising from Securities carried to an Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery*, there shall be paid by virtue of any Order or Orders of the said Court of Chancery, (but subject and without Prejudice to the Payment of all Salaries and Sums of Money by the said several Acts passed in the Thirty second, Forty sixth and Forty ninth Years of the Reign of His present Majesty, and the Acts therein mentioned, or any of them, directed or authorized to be paid out of the said Interest and Dividends) such Sum or Sums of Money as the Lord High Chancellor of Great Britain, or the Lord Keeper or Lords Commissioners for the Custody of the Great Seal of Great Britain for the time being, shall in his and their Discretion deem necessary, and not exceeding the Sum of Twelve thousand Pounds, to be applied under the Direction of the said Court in providing proper Places for transacting the Business of the aforesaid Offices, while the Premises now used for such Purposes shall by reason of the rebuilding, repairing or enlarging thereof be unfit for the Business of the said Offices to be transacted therein, and in erecting, building and completing proper and convenient Offices wherein the Business of the said Examiners, Curitors, Clerk of the Crown and Clerks of the Petty Bag Offices, may respectively be permanently transacted, and the Records of their several Offices securely preserved; and in purchasing such Ground and Buildings thereon as shall be necessary or convenient for those Purposes, and in fitting up the said Offices with proper Repositories for the Records, Papers, Presses, Desks, and other Necessaries for the said several Offices; and also such further Sum or Sums of Money, either Yearly or in Gross, as shall be necessary for keeping the same Offices and Repositories in Repair, and for insuring and keeping all the said Offices and Repositories insured from Loss or Damage by Fire, at such Insurance Office or Offices, and in such manner and in such Name or Names, and for such Sum or Sums, as the said Court shall from time to time order and direct:

Expences of rebuilding, &c. said Offices, how paid.

IV. And be it further enacted, That the Ground and Houses which (if any) shall be purchased for the Purposes aforesaid, shall be conveyed to and vested in the Master of the Rolls to hold to him and his Successors (Masters of the Rolls) for ever, in Trust for the Purposes in this Act mentioned, and that the same, together with all Buildings now or hereafter to be erected and built thereon, shall be, and the same are hereby vested in the said Master of the Rolls, and his Successors in the said Office for the time being for ever, in trust

Grounds purchased for Use of Offices of Chancery, vested in Master of the Rolls.

to and for the Purposes in this Act mentioned, and for no other Use or Purpose whatsoever.

Buildings purchased or erected not to be converted into Residences, &c.

V. Provided always, and be it further enacted, That the Buildings by this Act authorized to be purchased, erected or built, or any Chamber or Room, Chambers or Rooms therein, or any Part or Parts thereof, shall not be used, occupied as, or converted to the Residence of any Individual or Individuals, Person or Persons, on any Pretence or Pretext whatsoever, but the same and all and every Chamber and Chambers, Room and Rooms therein, and every Part and Parts thereof, shall be used for the publick Purpose and Purposes by this Act directed in respect of the same, and for no other Use or Purpose whatsoever.

Power to remove Officers.

VI. And be it further enacted, That it shall and may be lawful to and for the said Lord High Chancellor, Lord Keeper and Lords Commissioners for the Custody of the Great Seal for the time being, to remove any Person or Persons holding or who hereafter shall hold the Office of Examiner of the High Court of Chancery, or of Clerk of such Examiner, from his or their said Office, when by reason of permanent Sicknes, Infirmitie or other Cause, he or they shall be unable or incompetent to discharge the Duties of the said Office.

Power to remove Mr. Flitcroft.

VII. And be it further enacted, That *Henry Flitcroft* Esquire, one of the Persons holding the said Office of Examiner, be, and he is hereby removed from his said Office, he the said *Henry Flitcroft* being a Lunatic Ward of the said Court of Chancery, and wholly incompetent to discharge the Duties of the said Office.

Power to appoint additional Number of Examiners.

VIII. And be it further enacted, That in case it shall at any time hereafter appear to the Lord High Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal for the time being, and to the Master of the Rolls for the time being, that the Business to be done in the Office of the Examiners of the High Court of Chancery shall at any time hereafter increase so that the same cannot be transacted and done by the Two Examiners of the said Court, with that Facility which the Convenience of the Suitors of the said Court may require, it shall and may be lawful for the Lord High Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal for the time being, to make an Order or Orders that other and not exceeding Two more Examiners and Two more Clerks of such Examiners shall be provided, and the Master of the Rolls for the time being shall and he is hereby authorized and required, upon such Order or Orders being made, to appoint some fit and proper Person or fit and proper Persons to be such Examiner or Examiners, and some other fit and proper Person or fit and proper Persons to be such Clerk or Clerks, who shall, upon their severall Appointments, be respectively entitled to take and have such Fees and Salary as to the Examiner and Clerk of an Examiner of the said Court of Chancery does or shall of right appertain or belong, or be authorized to be directed to be paid by this present Act.

Other Examiners provided in case the present Officers resign.

IX. And be it further enacted, That all Vacancies which shall hereafter occur in the Office of Examiner, shall hereafter be filled up and appointed to in such and the same manner as the same have heretofore been; and that every future Examiner and Examiners shall and he and they are and is hereby required, before he or they act in the Execution of their respective Offices, to take and subscribe in

in open Court the usual Oaths of Supremacy and Abjuration, and also an Oath to the Purport and Effect following; that is to say,

‘ I *A. B.* do swear, That I will, according to the best of my Skill and Knowledge, truly and faithfully exercise and occupy the Office of one of the Examiners of His Majesty’s High Court of Chancery, whereunto I am now admitted, and truly, faithfully, and without Partiality to any or either of the Parties in the respective Causes take the Examinations and Depositions of all and every Witness and Witnesses produced before and examined by me upon the Interrogatories filed with me, and that I will be attending as well to further the King’s Business as the same Causes from time to time as Occasion shall require; and that I will not publish, disclose or make known to any Person or Persons whatsoever (except to the sworn Clerk appointed to copy the same) the Particulars, Purport or Contents of all or any of the Depositions of the Witnesses or any of them to be taken by me, until Publication in the said Causes shall duly pass.

‘ So help me GOD.’

And every future Clerk and Clerks to be appointed by virtue of this Act, shall and he and they are and is hereby required, before he or they act in the Execution of their respective Offices, to take and subscribe before the Examiner by whom they shall respectively be appointed, and who is and are hereby authorized and empowered to administer the same, the usual Oaths of Supremacy and Abjuration, and also the following Oath:

‘ I *C. D.* do swear, That according to the best of my Skill and Knowledge I will truly and faithfully execute and exercise the Office of a Copying Clerk in the Office of *A. B.* one of the Examiners of His Majesty’s High Court of Chancery whereunto I am admitted so long as I shall continue in the said Office, and that I will be ready and attendant in the said Office to further His Majesty’s Business as need shall require; and that I will also well and faithfully preserve and keep such of the King’s Records wherewith I shall be entrusted or whereunto I shall have Access, and that I will not publish, disclose or make known to any Person or Persons whatsoever the Particulars, Purport or Contents of any Deposition or Depositions taken in the said Office until Publication in the said Causes shall duly pass.

‘ So help me GOD.’

X. And be it further enacted, That the said Examiners and Clerks shall in their own proper Persons attend in the Office to be provided for them during all such time, and during such Hours in each and every Day, as the said Lord High Chancellor of *Great Britain*, Lord Keeper or Lords Commissioners for the Custody of the Great Seal of *Great Britain*, and the Master of the Rolls for the time being, shall direct and appoint, and in their own proper Persons diligently, faithfully and attentively employ themselves in dispatching and transacting the Business of their respective Offices; and that the said Examiners or any of them shall not examine any Person or Persons at or in any other Place or Places other than at and within the Office to be provided as hereinafter mentioned, without the special Order of the said Court of Chancery for that Purpose first had and obtained, except during the Vacations, when they shall not be required by the Lord

Officers to attend their Duty in Person.

High Chancellor of *Great Britain*, Lord Keeper or Lords Commissioners for the Custody of the Great Seal, to be daily attending in their said Office; and that such Examiners or Clerks, or any of them, shall not at any time during their Continuance in the said Office act as Counsel, Solicitors, Attornies, or as Clerks in Court or Draftsmen either at Law or in Equity, or as Agents or Clerks to any Person or Persons acting in any or either of those Capacities, or in any other respect or Capacity in any ways connected with the said Court of Chancery, in any Suit or Matter depending therein, or before the said Court (save and except under Commissions from the said Court, during the time the said Court of Chancery shall not be actually sitting); but shall devote themselves respectively wholly and entirely to the Business of their respective Offices, without accepting or taking any other Business or Employment whatsoever, which shall or may in any manner interfere therewith; and that the said Examiners and their Successors in the said Office shall, from and after the Fifth Day of *July* next, be entitled to the Fees for the Business done by them in their said Office respectively, and each of the said sworn Clerks and their Successors shall have and be entitled to receive such Fees as shall be ascertained and settled by the said Court of Chancery, pursuant to the Directions for that Purpose hereinafter contained.

Business of Examiners equally divided.

XI. And be it further enacted, That from and after the said Fifth Day of *July* next, the Business of the said Office shall be equally divided, as nearly as may be, between and among the said Examiners, and that the Witnesses on different Sides of the same Cause shall (if the same be practicable) be examined by different Examiners, in such manner and under and subject to such Rules and Regulations as the said Court shall think fit to order respecting the same.

Fees and Emoluments ascertained.

XII. And be it further enacted by the Authority aforesaid, That it shall be lawful to and for the Lord High Chancellor of *Great Britain*, or Lord Keeper or Lords Commissioners for the Custody of the Great Seal of *Great Britain*, and the Master of the Rolls for the time being, and they are hereby required from time to time as they shall see Occasion to examine into, ascertain and settle the Periods and Hours of Attendance of the said Examiners and their Clerks at and in the Offices herein provided for them; and also the Duties of the said Examiners and Clerks, and also the Distribution of the Business of the said Offices, and also the Fees and Emoluments which the said Examiners and their Clerks shall have and be entitled to receive from the Suitors of the said Court for the Business done by them respectively in or about the Execution of their said Offices, and to ordain a Table of such Fees, which shall be made an Order or Orders of the said Court of Chancery, and Copies thereof shall be affixed and set up in the Examiner's Office, Six Clerks' Office and Register's Office of the said Court, and if any Examiner or Clerk to any Examiner shall have, take or receive any Fees, Gratuities or Emoluments whatsoever from the Suitors of the said Court, not warranted or allowed by the said Order, such Examiner or Clerk so offending, shall be liable to be removed from his said Office by the Court, and be incapable of ever thereafter holding any Office in or under the said Court.

Penalty.

Power to appoint temporary Examiners.

XIII. Provided always, and be it further enacted, That in case any of the Examiners or sworn Clerks for the time being, shall be afflicted with any temporary Illness or Infirmary which shall be likely for a short time to prevent them from discharging the Duty of their Offices

Offices respectively, and the same shall be made to appear to the Satisfaction of the Master of the Rolls for the time being, and that the Business of the Suitors of the said Court of Chancery shall be delayed or prejudiced by the Absence of any such Examiners or Clerks during such their temporary Illness or Infirmary; it shall and may be lawful for the said Examiners or Clerks respectively, with the Approbation of the Master of the Rolls for the time being, to appoint some fit and proper Person to officiate for such Examiner or Clerk for any Space of time during such their temporary Illness or Infirmary not exceeding Three Months, and such Person first taking the Oath appointed to be taken by an Examiner or Clerk, the Oath herein above prescribed to be taken, according as they shall be deputed to act as an Examiner or Clerk respectively.

XIV. And be it further enacted, That it shall and may be lawful for the Lord High Chancellor of *Great Britain*, Lord Keeper or Lords Commissioners for the Custody of the Great Seal of *Great Britain*, to appoint any Number of Persons not exceeding Four, to attend upon the said Court of Chancery wheresoever and at all times whensoever the said Court shall be sitting, and that the said Persons so to be appointed shall be removeable at the Will and Pleasure of the said Lord High Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal, and shall, whilst they continue to be so appointed, diligently attend from the opening of the said Court during the whole time of the Sitting of the said Court, for the Purpose of preserving Order among the Persons present in the said Court, and to prevent insane and other disorderly Persons from intruding themselves into the said Court.

Power to appoint
Persons to keep
Order in the
Court.

XV. And be it further enacted, That out of the Interest and Dividends of the said Government or Parliamentary Securities purchased and to be purchased as aforesaid, there shall be paid (but subject as aforesaid) by virtue of any Order or Orders of the said Court of Chancery to be made for that Purpose, by Quarterly Payments on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July* and the Tenth Day of *October* in every Year, such yearly Sums as after mentioned to the several Persons after mentioned; that is to say, to the Committee of the Estate of *Henry Flitcroft* Esquire, a Lunatic Ward of the said Court of Chancery, one of the Principal Examiners of the said Court, the yearly Sum of Three hundred Pounds, for and during the Term of his natural Life, as a Compensation for depriving him of his said Office of Principal Examiner; to *James Dancer* Gentleman, who has been Thirty five Years and upwards one of the Deputy Examiners of the said Court, by reason of the Length of his Services and on account of his great Age and Infirmities, the yearly Sum of Three hundred Pounds for his Life; and to *John Smith*, *John Nursey Dancer* and *John Alexander Berrey*, Gentlemen, the Three other Deputy Examiners, respectively, or to such of them as shall decline to continue in the said Office upon the Terms herein prescribed, or as shall not be continued to be employed in the said Office, as a Compensation for depriving them of their said Office, the yearly Sum of Two hundred Pounds each, for their respective Lives; and to each of the Examiners of the said Court for the time being, the yearly Sum of Three hundred Pounds; and to each of the Persons to be appointed to keep Order among the Persons attending the said Court, and to prevent the Intrusion of dis-

Payment of
Salaries, &c.

orderly Persons therein, the yearly Sum of Forty Pounds; and to the Usher of the said Court for the time being, the yearly Sum of Three hundred Pounds; and to the Court Keeper of the said Court for the time being, the yearly Sum of Ninety Pounds; and to each of the Two junior Clerks of the Petty Bag, for and during the Term of their respective Lives or Continuance in the said Office, the yearly Sum of Fifteen Pounds each, as a Compensation and in lieu of the Rent which such Two junior Clerks of the Petty Bag have hitherto received for such Part of the aforesaid Premises as have been hitherto occupied by the Clerk of the Crown, and also a proportionable Part of such quarterly Payments as shall accrue due between the last quarterly Payment thereof and the time of the Death or other Removal of such Examiner, Clerk or Officer of the Court; such Payments to the Usher and Court Keeper of the said Court of Chancery to be a full Compensation and Satisfaction to them respectively for any Profit or Advantage they, from and after the said Fifth Day of *April* One thousand eight hundred and ten, may derive from finding and supplying the said Court and Officers thereunto belonging, with Parchment, Stationary and Necessaries supplied by them respectively for the Use of the Court; the First quarterly Payment of the several Sums aforesaid to the several Persons aforesaid, to commence and be computed from the Fifth Day of *April* One thousand eight hundred and ten.

Allowance to
Usher and Court
Keeper.

XVI. And be it further enacted, That out of the Interest and Dividends of the said Government or Parliamentary Securities purchased and to be purchased as aforesaid, there shall also be paid (but subject as aforesaid) by virtue of any Order or Orders of Chancery to be made for that Purpose, at such time or times as shall be mentioned and specified in such Orders respectively, to the Usher and Court Keeper of the said Court respectively, such Sum or Sums of Money as the said Court of Chancery shall find to have been really and bona fide paid, laid out or expended by the Usher or Court Keeper of the said Court, or either of them, in the Purchase of Parchment, Stationary and other necessary Articles found and supplied by them, or either of them, for the Use of the said Court and of the Officers thereunto belonging.

Regulating
Mode of sup-
plying the Court
and Offices of
Chancery with
Parchment and
Stationary.

XVII. Provided always, and be it further enacted, That it shall and may be lawful for the Lord Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal for the time being, and he and they is and are hereby respectively authorized from time to time, when and as often as he or they shall see Occasion, to order and direct that such Parchment, Stationary and other Necessaries shall be supplied by any Person or Persons other than such Usher or Court Keeper, or either of them, and to make such Rules, Orders and Regulations for the Supply and furnishing of the same as to him or them shall from time to time seem meet; and that upon Proof being made before and to the Satisfaction of One of the Masters of the said Court by Examination upon Oath (which Oath the said Master is hereby authorized and required to administer), and such other Evidence as the Occasion may require, that the Articles so supplied and furnished were necessary and proper to be furnished and supplied, and that the Sums respectively charged for the same are respectively the fair Market Price for the same, to order and direct that out of the Interest and Dividends of the said Government

or Parliamentary Securities purchased and to be purchased as aforesaid, there shall also be paid, but subject as aforesaid, by virtue of any Order or Orders of the said Court of Chancery to be made for that Purpose, to such Person or Persons and at such time and times as shall be respectively mentioned in such Orders, such Sum and Sums of Money as shall be found by the said Master to have been properly charged for such Supply as aforesaid.

XVIII. And be it further enacted, That it shall and may be lawful for the Lord High Chancellor of *Great Britain*, or the Lord Keeper or the Lords Commissioners for the Custody of the Great Seal of *Great Britain*, by any Order or Orders of the High Court of Chancery to be made from time to time on a Petition presented to him or them for that Purpose by any of the said Examiners or their Clerks, who shall have acted in the Capacity of Examiner or Clerk in the said Office for the Space of Thirty Years, or in case any of the Examiners of the said Court or their sworn Clerks for the time being shall happen to be afflicted with any permanent Infirmary disabling him from the due Execution of his Office; then, and in either of such Cases, it shall and may be lawful for the Lord High Chancellor of *Great Britain*, or the Lord Keeper or Lords Commissioners for the Custody of the Great Seal of *Great Britain* for the time being respectively, to remove from the Office of Examiner of the said Court, or Clerk to such Examiner, any of the Examiners of the said Court or their Clerks who shall have been Thirty Years in the said Office, or who shall in the Judgment of the Lord High Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal of *Great Britain* for the time being, be so afflicted; and then, and in either of the above Cases, by an Order or Orders of the High Court of Chancery to be made from time to time when Occasion shall require, to order an Annuity or clear yearly Sum of Money not exceeding the Sum of Three hundred Pounds to any Examiner or Examiners, and not exceeding the Sum of One hundred Pounds to any sworn Clerk or Clerks to any Examiner, to be paid out of the Dividends and Interest of the Government or Parliamentary Securities purchased or to be purchased as hereinbefore mentioned, to any Examiner or Clerk to any Examiner who shall be removed from the Office of Examiner or Clerk to such Examiner for such Causes as aforesaid, or any of them; in which Order or Orders the Cause or Ground of making the same shall be distinctly stated and specified, and the said Annuity or yearly Sum mentioned in such Order or Orders shall be paid by the Governor and Company of the Bank of *England* out of the Interest and Dividends of the said Government or Parliamentary Securities (but subject and without Prejudice as aforesaid) by even and equal quarterly Payments on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July* and the Tenth Day of *October* in every Year, to such Examiner or Clerk to such Examiner, from the Period when he shall have so resigned or be so removed from his said Office or Employment for and during the Term of his natural Life, together with a proportionable Part thereof up to the time of his Decease; and in the room of such Examiner or Clerk of such Examiner so removed or incapacitated, some other able and sufficient Person shall be appointed to be Examiner, or Clerk to such Examiner, in the manner prescribed by this Act.

Salary for Superannuated Examiners and Clerks.

XIX. And be it further enacted, That it shall and may be lawful Power for in-
to capacitated

Persons to sell
Houses, &c.

to and for the Right Honourable the Master of the Rolls and the Honourable Society of *Serjeant's Inn*, and all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, and for all Executors or Administrators, Husbands, Guardians, Committees, and other Trustees whatsoever, for and on behalf of themselves, their Heirs and Successors, and also for Tenants for Life of Estates in Settlement if of Age, other than Femmes Cōvert, and for the Guardians for such Tenants for Life as may be Infants, and the Husbands of such Tenants for Life as may be Femmes Covert, for and on behalf of themselves, and all Infants, Issue unborn, Lunatics, Idiots, Femmes Covert, or under any other Disability, and also for all Persons who are or shall be seised or possessed of or interested in any Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges, which may be convenient for the Site of or for a Way to the Offices and Repositories to be built in pursuance of this Act, to treat, contract and agree for the Sale of all and every such Houses, Buildings, Lands, Tenements, Hereditaments, Easements and Privileges, for the Purposes aforesaid, and to grant, sell and convey the same for the Purposes aforesaid; and that all Contracts, Agreements, Sales and Conveyances which shall be so made shall be valid, to all Intents and Purposes, any Law, Statute, Usage, Settlement, Will, Custom or other Matter or Thing whatsoever to the contrary thereof in any wise notwithstanding; and the Master of the Rolls and the said Honourable Society of *Serjeant's Inn*, and all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Trustees, Executors, Administrators, Husbands, Guardians, Committees and all other Persons whomsoever, are and shall be hereby indemnified for what they shall do by virtue or in pursuance of this Act.

Application of
Compensation
Money when
amounting to
200l.

XX. And be it further enacted, That if any Money shall be agreed to be paid for any Lands, Tenements or Hereditaments, purchased, taken or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Body Politick, Corporation, Guardians, Committees, Trustees, Feme Covert, Infant, Lunatic, or other incapacitated Person or Persons, such Money shall, if the same amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, according to the general Rules and Orders of the said Court, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements or Hereditaments, in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements or Hereditaments, or affecting other Lands, Tenements or Hereditaments standing settled therewith, to the same or like Uses, Intents or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements or Hereditaments, which shall be conveyed and settled to, for and upon such and the like Uses, Trusts, Intents and Purposes, and in the same manner as the Hereditaments which shall

shall be so purchased, taken or used as aforesaid, stood settled or limited, or such of them as at the time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean time and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from time to time be paid, by Order of the said Court, to the Person or Persons who would for the time being have been entitled to the Rents and Profits of the Lands, Tenements and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

XXI. Provided always, and be it further enacted, That if any Money so agreed to be paid for any Lands, Tenements or Hereditaments, purchased, taken or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds and shall exceed the Sum of Twenty Pounds, then, and in all such Cases, the same shall, at the Option of the Person or Persons for the time being entitled to the Rents and Profits of the Hereditaments so purchased, taken or used, or of his, her or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under his or their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in manner hereinbefore directed; or otherwise the same shall be paid at the like Option to Two or more Trustees, to be nominated by the Person or Persons making such Option, (such Nomination to be signified in Writing under the Hands of the nominating Parties) in order that such Principal Money and the Dividends arising thereon may be applied in any manner hereinbefore directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

If under 200l.
and exceeding
20l.

XXII. Provided also, and be it further enacted, That where such Money so agreed to be paid as next before mentioned, shall be less than the Sum of Twenty Pounds, then, and in all such Cases, the same shall be applied to the Use of the Person or Persons who would for the time being have been entitled to the Rents and Profits of the Hereditaments so purchased, taken or used for the Purposes of this Act, in such manner as they shall think fit, or in case of Infancy or Lunacy, then to his, her or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

If under 20l.

XXIII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of England, in the Name and with the Privity of the said Accountant General, in pursuance of this Act, for the Purchase of any Lands, Tenements or Hereditaments, or of

Where any
Question shall
arise touching
Title to Money
to be paid, the
Persons who may
any

be in Possession
shall be entitled
thereto.

Court of Chan-
cery may order
Expences of
Purchases to be
paid by Trustees.

Expences of Act
provided for.

Surplus Monies
placed out on
Securities.

any Estate, Right or Interest in any Lands, Tenements or Hereditaments, to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in possession of any such Lands, Tenements or Hereditaments, at the time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends and Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court, that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements or Hereditaments, or to some Estate or Interest therein.

XXIV. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation entitled to any Lands, Tenements or Hereditaments, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands, Tenements or Hereditaments, to be settled to the like Uses in pursuance of this Act; and it shall and may be lawful to and for the said Court to order the Expences of all Purchases from time to time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid out of the Interest and Dividends of the said Government or Parliamentary Securities purchased and to be purchased as aforesaid, in the same manner as the Expences of building the said Offices and Repositories are hereby directed to be paid.

XXV. And be it further enacted, That out of the Interest and Dividends of the said Government or Parliamentary Securities purchased and to be purchased as aforesaid, the Expences incurred in procuring and passing this Act, and the Costs, Charges and Expences of all Proceedings had or to be had in consequence thereof, shall be paid by the Governor and Company of the Bank of *England*, by virtue of an Order or Orders of the High Court of Chancery to be made for that Purpose.

XXVI. And be it further enacted, That the Surplus Interest and annual Produce which shall arise from the Money placed out on Securities pursuant to the said Act passed in the Thirty second Year of His present Majesty's Reign, and pursuant to the several Acts of Parliament therein and hereinbefore mentioned or referred to, and to be placed out pursuant to this Act, and which Securities are directed to be carried to the Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery, and also the Interest which shall be produced from the Securities purchased and to be purchased with such Surplus Interest beyond what shall be sufficient to answer the Purposes of the said Acts and the several other Acts hereinbefore mentioned, and the Purposes of this Act, shall from time to time be placed out on Government or Parliamentary Securities, and shall be placed to the Credit of the said Account raised

in pursuance of the said Act of the Thirty second Year of the Reign of His present Majesty, and intituled, *Account of Securities purchased with Surplus Interest arising from Securities carried to an Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery*, and which Fund shall be applied to answer the Demands of the said Suitors of the said Court of Chancery, in case it shall at any time be necessary to call in any of the Money of the said Suitors which hath been or may be placed out on Securities. 82 G. 3. c. 42.

XXVII. And be it further enacted, That it shall be lawful to and for the Lord High Chancellor of *Great Britain*, or Lord Keeper or Lords Commissioners for the Custody of the Great Seal of *Great Britain* for the time being, by any Order or Orders of the said Court of Chancery, to change the Security or Securities or any Part of the Securities purchased or to be purchased pursuant to the several Acts of Parliament hereinbefore mentioned or referred to, or pursuant to this Act. Securities may be changed.

XXVIII. Provided always, and be it further enacted and declared, That for and notwithstanding any of the Provisions contained in this Act, if at any time hereafter the Whole or any Part of the Money placed out pursuant to the said several Acts of Parliament or any of them, or to be placed out in pursuance of this Act, shall be wanted to answer any of the Demands of the Suitors of the High Court of Chancery, then, and in such Case, the said Court may and shall direct the Whole or any Part of such Money to be called in, and the Securities in which the same and the Surplus Interest and Dividends hereinbefore mentioned shall be placed to be sold and disposed of, in order that the Suitors of the said Court may at all times be paid their respective Demands out of the Common and General Cash belonging to such Suitors. If further Money wanted, Court of Chancery may call in Securities.

XXIX. Provided always, and be further enacted, That nothing in this Act contained shall prejudice, delay, hinder or prevent any Reform or Abolition of all or any of the Offices herein mentioned, by any Person or or Persons having Authority to reform or abolish the same, and that in case the same or any of them shall at any time hereafter be abolished for which any Salaries or Salary is or are hereby provided, or for which any Apartments are hereby provided, such Salary shall cease and be no longer payable, and the Apartments or Offices so provided shall be hereafter used in such manner and for such Purposes as the Lord High Chancellor of *Great Britain*, Lord Keeper or Lords Commissioners for the Custody of the Great Seal of *Great Britain*, shall direct or appoint. Proviso for Reform in Offices, &c.

XXX. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded. Publick Act.

Cap. clxv.

An Act to alter, amend and enlarge the Powers of an Act passed in the Thirty ninth Year of His present Majesty, for better supplying the Town and Port of *Liverpool* with Water, from certain Springs in the Township of *Beagle*, in the County Palatine of *Lancaster*. 89 G. 3. c. xxvi.

[9th June 1810.]

Cap.

Cap. clxvi.

22 Car. 2. c. 16. pr. An Act for amending an Act of the Twenty second Year of His late Majesty, King *Charles* the Second, so far as the same relates to the River *Brandon*, otherwise the *Leffer Ouze*, from the *White House* near *Brandon Ferry* to *Thetford* in the Counties of *Norfolk* and *Suffolk*, and for improving the Navigation of the said River.

[9th June 1810.]

[Former Tolls repealed, and new Tolls granted.]

Cap. clxvii.

33 G. 3. c. 28. An Act for altering and enlarging the Powers of several Acts of His
29 G. 3. c. 43. present Majesty, for the Improvement of the Town of *Greenock*,
41 G. 3. (U.K.) and the Harbours thereof; for regulating the Police; and for
c. II. other Purposes mentioned in the said Acts. [9th June 1810.]
43 G. 3. c. lxxxvii.

Cap. clxviii.

43 G. 3. c. xxi. An Act for altering and amending an Act made in the Forty third Year of His present Majesty's Reign for improving the Port of the Town of *Southampton*.

[9th June 1810.]

[New Rates.]

Cap. clxix.

40 G. 3. c. 25. An Act to amend an Act, made in the Tenth Year of His present Majesty, for paving, repairing, cleansing, lighting and watching the Streets and other publick Passages in the Town of *Southampton*.

[9th June 1810.]

Cap. clxx.

An Act for paving and otherwise improving certain Streets, and other publick Passages and Places, which are or shall be made upon a certain Piece of Ground belonging to *Thomas Harrison* Esquire, situate in the Parish of *Saint Pancras*, in the County of *Middlesex*.

[9th June 1810.]

Ca. clxxi.

An Act for making and maintaining a Turnpike Road from *Ashford* to or near to *Buxton*, in the County of *Derby*. (a)

[9th June 1810.]

[Double Tolls on Sunday.]

Cap. clxxii.

An Act for confirming and carrying into Effect an Agreement entered into on Behalf of *Alexander Duke* of *Gordon*, and by Sir *Alexander Penrose Cumming Gordon* Baronet, deceased; and for enabling Sir *William Gordon Cumming Gordon* Baronet, and *Charles Lennox Cumming* Esquire, and their respective Heirs, to make Exchanges of certain Parts of their respective Entailed Estates, under the Authority and by the Directions of the Court of Session in *Scotland*. (q. P.)

[9th June 1810.]

Cap. clxxiii.

An Act for exchanging Parts of the Fee Simple Estates of the Most Noble *Charles Duke* of *Norfolk*, in the Counties of *Surrey*, *Suffex* and

and *Middlesex*, for Parts of his Settled Estates in the County of *York*; and for vesting several Messuages and Lands, other Parts of the said Duke's Settled Estates in the said Counties of *York*, *Sussex* and *Middlesex*, and in the County of *Nottingham*, in trust to sell; and for laying out the Monies in the Purchase of more convenient Estates. (q. P.) [9th June 1810.]

Cap. clxxiv.

An Act for making and maintaining a Turnpike Road from *Cirencester* in the County of *Gloucester* to *Wootton Bassett* in the County of *Wilts*, and a Branch of Road from the *Malmesbury* and *Cirencester* Turnpike Road near *Crudwell Church* to communicate with the Turnpike Road leading from *Cricklade* to *Malmesbury* at or near *Minety Common*. (b) [9th June 1810.]

Cap. clxxv.

An Act for vesting certain Estates in the County of *Kent*, late of *Henry Lyell* Esquire, deceased, in Trustees, to be sold, and for applying the Money arising from the Sale thereof, for defraying the Expences of inclosing certain Lands in the County of *Cambridge*, and for investing the Surplus Money in the Purchase of other Estates, to be settled to the subsisting Uses of the Will and Codicils of the said *Henry Lyell*. (q. P.) [9th June 1810.]

Cap. clxxvi.

An Act for empowering the Dean and Chapter of *Canterbury*, and their Lessees, *Edmund White*, *John White* and *William Parker Terry*, to grant building and repairing Leases of Lands and Buildings at *South Lambeth*, in the County of *Surrey*; pursuant to an Agreement entered into for those Purposes. (q. P.) [9th June 1810.]

Cap. clxxvii.

An Act for enabling *Jane Player* Widow, and others, to grant Leases of certain Estates at or near *Ryde* in the *Isle of Wight*, in the County of *Southampton*, devised by the Will of the late *William Player* Esquire, pursuant to an Agreement entered into for that Purpose, and also to grant Building Leases of other Parts of the same Estates. (q. P.) [9th June 1810.]

Cap. clxxviii.

An Act for discharging the Estate of *George Frederick Stratton* Esquire, in the Parish of *Great Tew*, in the County of *Oxford*, from certain Trusts thereof, and for substituting another Estate in the same County in lieu thereof. (q. P.) [9th June 1810.]

Cap. clxxix.

An Act for vesting several Fee Farm Rents or Annual Sums, devised by the Will of *Robert Scott* Esquire, deceased, in Trustees, upon Trust to be sold; and for laying out the Purchase Monies, under the Direction of the High Court of Chancery, in the Purchase of other Estates, to be settled to the former Uses. (q. P.) [9th June 1810.]

Cap.

Cap. clxxx.

An Act for vesting certain Estates in the Counties of *Staffrd, Salop, Chester and Buckingham*, late of the Reverend *Richard Lovett, Lucy his Wife*, and *Ellen Byrd*, Spinster, in Trustees, upon trust to sell the same; and to lay out the Money arising from the Sale thereof in the Purchase of other Estates. (q. P.)

[9th June 1810.]

Cap. clxxxi.

An Act for effectuating a Partition of certain settled Estates of *David Ross* Esquire, deceased, situate in the County of *Dowry* in *Ireland*, and in the City of *Bath* in *England*. (q. P.)

[9th June 1810.]

Cap. clxxxii.

An Act for effectuating a Partition directed by the Court of Chancery of certain Estates situate in the County of *Monmouth*, devised by the Wills of *John Blewitt* Esquire, and *Frances Fettiplace*, deceased. (q. P.)

[9th June 1810.]

Cap. clxxxiii.

An Act for effecting an Exchange between the Trustees of *Henry Smith* Esquire, deceased, and *Henry Woodgate* Esquire, of Estates in the County of *Kent*. (q. P.)

[9th June 1810.]

Cap. clxxxiv.

An Act for inclosing Lands in the Townships of *Great Longstone, Little Longstone* and *Wardlow*, in the County of *Derby*. (q. P.)

[9th June 1810.]

“ Allotment and Compensation for Tithes. § 12, 13.

Cap. clxxxv.

An Act for inclosing Lands in the Parishes of *Wroughton, Tatten* and *Kenn*, in the County of *Somerset*. (q. P.)

[9th June 1810.]

Cap. clxxxvi.

An Act for inclosing Lands in the Manor of *Caereinion Iscoed*, in the County of *Montgomery*. (q. P.)

[9th June 1810.]

“ Allotment and Compensation for Tithes. § 26.

Cap. clxxxvii.

An Act for more effectually cleansing, lighting and watching the Borough and Town of *Weymouth* and *Melcombe Regis* in the County of *Dorset*, and removing Incroachments and Annoyances therein; for licensing and regulating Chairmen and other Persons plying for Hire; for establishing Markets; and for giving further Powers to the Quay Master of the Harbour of the said Town.

[15th June 1810.]

Cap. clxxxviii.

An Act to continue for Two Years an Act passed in the Forty eighth Year of His present Majesty, for preventing the Right of Presentation

16 G. 3. c. 57.
as to Sixpenny
Pound Rate, and
Watch Groat re-
pealed.

48 G. 3. c. clvii.

sentation to the Rectory and Parish of *Simonburn*, in the County of *Northumberland*, from lapsing, for a limited Time.

[15th June 1810.]

Cap. clxxxix.

An Act to amend and enlarge the Powers of an Act passed in the Forty fifth Year of His present Majesty, for assessing the Proprietors of Lands in the County of *Ross*, towards the Expence of making and supporting certain Roads and Bridges therein, and of an Act passed in the Forty seventh Year of His present Majesty, for regulating and converting the Statute Labour in the Counties of *Ross* and *Cromarty*, and Part of the County of *Nairn*, locally situated in the County of *Ross*. 45 G. 3. c. xl.
47 G. 3. Sess. 1. c. xiii.

[15th June 1810.]

Cap. cxc.

An Act to alter, amend and enlarge the Powers of so much of an Act, passed in the Fourth Year of His present Majesty, as relates to the maintaining, regulating and employing the Poor within the Parish of *Saint John* at *Hackney*, in the County of *Middlesex*. 4 G. 3. c. 43.

[15th June 1810.]

Cap. cxci.

An Act for extinguishing all Right of Common in, over and upon certain Parcels of Land in *Saint George's Fields*, in the County of *Surrey*; and for repealing so much of Two Acts passed in the Twenty sixth and Forty seventh Years of His present Majesty, as prevents the erecting Buildings on certain Parts of the said Parcels of Land, within a limited Distance from the Sides of such of the Roads therein mentioned as abut thereon; and for improving *Saint George's Fields* aforesaid. 26 G. 3. c. 131.
47 G. 3. Sess. 2. c. cxv.

[15th June 1810.]

Cap. cxcii.

An Act for the better Management of the Foundling Hospital in *Dublin*, and for amending and further continuing an Act passed in the Parliament of *Ireland*, in the Fortieth Year of His present Majesty, for the better Management, Support and Maintenance of the Foundling Hospital in *Dublin*; and for amending and further continuing an Act, passed in the Thirty eighth Year of His Majesty, for the better Management of the Workhouse and Foundling Hospital in *Dublin*. 40 G. 3. (I.) c. 32.
38 G. 3. (I.) c. 35.

[15th June 1810.]

“ 41 G. 3. (U. K.) c. 50. repealed. [Till 5th Jan. 1821.]

Cap. cxciü.

An Act to incorporate and regulate an Institution, to be called “*The Belfast Academical Institution*,” for affording to Youth a Classical and Mercantile Education. [15th June 1810.]

[15th June 1810.]

Cap. cxciv.

An Act to alter, amend and render more effectual Two Acts of the Twenty ninth Year of His late Majesty, and the Fortieth Year of His present Majesty, for draining and preserving certain Fen Lands, in the *Isle of Ely*, and County of *Norfolk*, lying between the *Hundred Foot River* and the *Ouse*, and bounded on the South by the Hard Lands of *Mepall*, *Wicham*, *Wentworth*, *Wickford*, 29 G. 2. c. 22.
39 & 40 G. 3. c. xxvi.

50 Geo. III.

I i

Ely,

Ely, Downham and Littleport; and for empowering the Governor, Bailiffs and Commonalty of the Company of Conservators of the Great Level of the Fens, commonly called *Bedford Level*, to sell certain Lands lying within the Limits aforesaid, called Invested Lands. [15th June 1810.]

Cap. cxcv.

An Act for vesting a certain Plot of Land on *Wandon* otherwise *Wavendon* Heath in the County of *Buckingham*, in the Most Noble *John Duke of Bedford* in Fee Simple, and for charging the same and certain Estates of the said Duke with a perpetual Annual Rent Charge, to be payable to the Churchwardens and Overseers of the Poor of the Parish of *Wandon* otherwise *Wavendon* in the said County, in Manner and upon the Trusts therein mentioned. (q. P.) [15th June 1810.]

Cap. cxevi.

An Act for vesting the settled Estates at *Eleham*, in the County of *Kent*, of the Right Honourable *George Augustus Henry Anne Lord Rancliffe*, in Trustees upon Trust, to sell the same, or to make Grants in Fee, or Leases of the same, for the Purpose of building; and to lay out the Monies arising by such Sales in the Purchase of other Estates to be settled to the same Uses. (q. P.) [15th June 1810.]

Cap. cxcvii.

An Act for exchanging the entailed Estate of the Right Honourable *Annabell Baroness Lucas*, in the County of *Wills*, for other Estates of the said Baroness *Lucas*, the Right Honourable *Mary Jemima Dowager Lady Grantham*, and the Right Honourable *Thomas Philip Lord Grantham*, in the Counties of *Essex* and *Suffolk*, and for varying the Powers of Leasing in the Settlement of the said Estates in the Counties of *Essex* and *Suffolk*. (q. P.) [15th June 1810.]

Cap. cxcviii.

An Act for vesting the Lease of the Governors of *Bethlem Hospital* in the Scite of the Hospital, in the Mayor and Commonalty and Citizens of the City of *London* by whom it was granted; and for authorizing the said Mayor and Commonalty and Citizens to grant certain Lands in *Saint George's Fields*, in lieu thereof, to Trustees for the Governors of the said Hospital for the like Term, for the Purpose of erecting a new Hospital thereon on an enlarged Scale. (q. P.) [15th June 1810.]

Cap. cxcix.

An Act for empowering the surviving Trustees under the Will of *Robert Austen Esquire*, deceased, to cut down certain Timber Trees on the devised Estates in the County of *Surrey*, and for applying the Monies thence arising in the Purchase of Estates, to be settled to the subsisting Uses of the same Will. (q. P.) [15th June 1810.]

Cap. cc.

An Act for enabling *George Byng Esquire*, and others, to grant
Building

Building Leases of certain Lands and Premises, situate in the *Isle of Dogs*, in the County of *Middlesex*. (q. P.)

[15th June 1810.]

Cap. cci.

An Act for inclosing Lands within the Parish of *Slapton*, in the County of *Buckingham*, and within the Hamlet of *Horton*, lying in the same Parish, and in the several Parishes of *Ivinghoe*, *Eddlesborough* and *Pigtlesthorpe*, in the same County. (q. P.)

[15th June 1810.]

“ Allotments and Compensation for Tithes. § 27—32.

Cap. ccii.

An Act for inclosing *Whitchurch Common*, and other Waste Lands in the Parish of *Whitchurch*, in the County of *Oxford*. (q. P.)

[15th June 1810.]

“ Allotment and Compensation for Tithes, Modus, &c. § 18—20.

Cap. cciii.

An Act to continue until the Twenty fifth Day of *March* One thousand eight hundred and thirteen, the Powers of the Commissioners appointed in pursuance of an Act of the Forty sixth Year of His present Majesty, for enabling the Commissioners acting in pursuance of an Agreement between the *East India Company* and the private Creditors of the Nabobs of the *Carnatic*, the better to carry the same into Effect. 46 G. 3. c. cxxiii.

[15th June 1810.]

Cap. cciv.

An Act for amending, altering and enlarging the Powers of Two Acts, passed in the Fourteenth and Seventeenth Years of His present Majesty, in relation to the Navigation of the River *Thames* Westward of *London Bridge*, within the Liberties of the City of *London*; and for the further Improvement of the said Navigation. 14 G. 3. c. 91. 17 G. 3. c. 18.

[20th June 1810.]

[Tolls of 17 G. 3. c. 18. repealed, and new Tolls granted.]

Cap. ccv.

An Act to explain an Act of the Forty seventh Year of His present Majesty, for the more effectual Improvement of the City of *Dublin* and the Environs thereof, so far as relates to the lighting of *Rutland Square* in the said City. 47 G. 3. Sess. 2. c. cix.

[20th June 1810.]

Cap. ccvi.

An Act for establishing a Cattle Market within the Town of *Wisbech*, in the *Isle of Ely*; for taking down and removing the Shambles therein; for paving, cleansing, lighting and watching the said Town, and removing Nuisances therein; for preserving and improving the Port and Harbour of *Wisbech*; and for regulating the Pilots belonging thereto.

[20th June 1810.]

Cap. ccvii.

An Act for maintaining and improving the Docks and Warehouses, called the *Commercial Docks*, and for making and maintaining other

other Docks and Warehouses to communicate therewith, all in the Parish of *Saint Mary, Rotherhithe*, in the County of *Surrey*.

[20th June 1810.]

‘ **W**HEREAS, for the still greater Accommodation and Security of Shipping, Commerce and Revenue, within the Port of *London*, it is expedient that other good and sufficient Wet Docks and Basons, with Timber Ponds, proper Cuts, Sluices and Outlets, should be made and established within the Port of *London*, with Quays and Wharfs attached thereto, for the Reception and Discharge of Ships laden with Timber, Wood, and other Merchandize, as hereinafter mentioned: And whereas the several Persons herein after named, have subscribed a certain Sum as a Joint Stock or Fund, and have purchased and improved a Wet Dock, long known as *Greenland Dock*, and other Docks and Premises adjoining, for the Purposes aforesaid; and for carrying into Execution and completing the several Works, Improvements, Alterations and Additions hereinafter mentioned:’ May it therefore please Your Majesty that it may be enacted; and be it enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *John Atterfoll, John Atterfoll the Younger, Joseph Atterfoll, William Adam, William Browning, Daniel Brent, John St. Barbe, Daniel Bell, John Boulcott, Denis de Berdt, Joseph Crew Boulcott, Elizabeth Blackenhagen, John Branton, Robert Brereton, Anna Brodie, Peter Barlow, Thomas Brooks, Ann Barlow, James Beloncle, Jane Birkett, William Cook, William Cordell, Richard Carrington, John Crickett, Quintin Dick, John Dearman, Ralph Day, John Evans, John Eykin, Perrott Fenton, William Freme, Robert Forster, Philip Ibbetson Fenton, John Gilliat, Mary Green, George Grote, Joseph Grote, Alexander Glennie, Samuel Gurney, John Gurney, Robert Gathercole, John Greenleaf, James Glennie, William Grove, Richard Harford, John Harford, Mary Harford, Charles Richard Harford, Duncan Hunter, Henry Harford, Elizabeth Harford, Thomas Horncastle, John Henry Hecker, Richard Harris, Edward Harman, Elizabeth Hawkins, James Egbert Hoolboom, William Johnson, George Irwin, Thomas Adolphus Knoblock, Henry Louch, John Lyon, Lewis Lloyd, Jacob Abraham Levy, Richard Lloyd, William Moir, James Mackenzie, James Maude, Ebenezer May, Robert Humphrey Marten, Daniel Mildred, Joseph Moore, Thomas Oom, George Pindar, James Pattison, William Prescott, Sir Charles Price, John Prince, George Ritchie, John Baker Richards, Thomas Ritchie, William Ritchie, William Tooke Robinson, Christopher Richardson, Samuel Sharpe, Benjamin Shaw, John Somerset Smith, William Smith, Philip Splidt, J. Stevenson, George Todd, James Thompson, Elizabeth Thomas, Christopher Waltham, John Woodcock and John Woodward*, together with all and every other Person or Persons, Body or Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, who now is or are, or shall at any time hereafter, according to the Conditions and Restrictions hereinafter set forth, be or become a Proprietor or Proprietors of any Share or Shares in the said Docks, Basons or Ponds already made or hereby authorized to be made, shall be, and are hereby united into a Company for maintaining and improving the said Docks and Works already made, and making, completing and maintaining other Docks and

Joint Stock
Company to be
called the Com-
mercial Dock
Company.

and Timber Ponds, Sluices, Outlets, and other Works necessary for the Accommodation of Vessels laden with Timber, and other Articles hereinafter mentioned, and shall for that Purpose be a joint Stock Company, by the Name and Stile of *The Commercial Dock Company*.

II. And be it further enacted, That for the Improvement and Increase of Accommodation of the Port of *London*, and facilitating the Discharge of Ships and Vessels laden with Timber, Wood, and other Merchandize hereinafter mentioned, and securing such Cargoes of Timber and Wood from Loss and Pillage, and removing the Interruption occasioned to the Navigation of the River *Thames*, and the Port of *London*, by reason of the want of sufficient Accommodation for Timber, out of the said River, it shall be lawful for the said Company of Proprietors, and they are hereby authorized to extend and improve their present Docks and Works, and make such other Basons, Docks, Ponds and Entrances, and Quays and Wharfs adjoining thereto, as may be necessary and convenient for the receiving and discharging and lading of such Ships and Vessels.

Company im-
powered to make
Ponds, Basons,
&c.

III. And be it further enacted, That it shall and may be lawful for all Ships and Vessels laden or to be laden with Timber or Wood only, or with Timber or Wood being the principal Part of the Cargo, although the Remainder of such Cargo should consist of Hemp, Flax, Pitch, Tar, Tallow or Fish, or Ships laden with Fish Oil, Blubber and Whale Fins, or any other Goods, Wares and Merchandizes, usually delivered afloat by River Sufferance, to enter into all and every the said Docks and Basons, and there to discharge or load the Whole or Part only of any such Cargoes, and also for any Ships or Vessels so having discharged in the said Docks, or any of them, to load the Whole or Part only, of the Cargoes of any such Ships or Vessels, on any Outward Voyage; any thing contained in any Act or Acts of Parliament, or any Law or Laws, or Custom, to the contrary notwithstanding: Provided always, that nothing in this Act contained shall extend or be construed to extend to make any of the said Docks or Wharfs under this Act legal Quays, or to empower the said Company to land or load any such Goods without the Sufferance of the Commissioners of Customs granted for that Purpose; provided also, that nothing in this Act contained shall extend or be construed to extend to compel any Ships or Vessels to enter into the said Docks or Ponds, or any of them.

Vessels laden
with specified
Articles, may
unload at Docks.

Proviso.

IV. And be it further enacted, That it shall and may be lawful to and for the said Company to raise and contribute among themselves, in addition to the Shares already created, or Sums already subscribed, and now belonging to the Proprietors of the said Docks and Premises, a competent Sum of Money for the providing and maintaining the Docks and Works already made; and for making and maintaining the Docks, Feeders, Aqueducts, Ways, Roads, Bridges, Offices, Sluices, Wharfs, Warehouses, and all other Works intended to be made, not exceeding in the whole, in addition to the Sums already subscribed for, the Sum of One hundred and thirty thousand Pounds, except as hereinafter excepted; and the same shall be divided into One thousand three hundred Shares, of One hundred Pounds each, and the said One thousand three hundred Shares shall be, and are hereby vested in the several Persons who have subscribed,

Company may
raise a further
Sum by new
Shares, not
exceeding
130,000l.

or who shall subscribe for the same, and their several and respective Executors, Administrators, Successors and Assigns, to their and every of their proper Use and Benefit, proportionably to the Sums they shall severally raise and contribute; and all Bodies Politick, Corporate and Collegiate, and all Persons and their several and respective Successors, Executors, Administrators and Assigns, who are already possessed of, or who shall severally subscribe for One or more Share or Shares, or such Sum or Sums as shall be demanded in lieu thereof, shall be entitled to and receive the entire and net Distribution of an equal proportionable Part, according to the Number of Shares already possessed, or to be possessed by him or them, or the Money so by them respectively paid, of all the Profits and Advantages which shall or may arise and accrue to the said Company, by reason of any Sums of Money to be received by the said Company, by the Authority of this Act, or otherwise, in respect of or for the Use of Docks, Ponds, Quays, Wharfs, or other Premises belonging to the said Company.

Money to be raised and already raised to form one Joint Capital Stock.

V. Provided always, and be it further enacted, That the said Sum of One hundred and thirty thousand Pounds allowed to be raised under this Act, upon One thousand three hundred Shares, and the Shares already created being One thousand three hundred, at One hundred Pounds each, and making in the whole Two thousand six hundred Shares, at One hundred Pounds each, shall make one Joint Capital Stock of the said Company.

Present Subscribers intitled to subscribe for equal Number of new Shares.

VI. Provided always, nevertheless, That all or any Person or Persons, Bodies Politick or Corporate, who, at the time of the creating or making the One thousand three hundred Shares hereby authorized to be subscribed for, shall be possessed of any of the Shares already subscribed for, shall be entitled, if they so please, to subscribe for any Number of the said One thousand three hundred new Shares, not exceeding the Number of old Shares of which he or they shall then be possessed.

Joint Stock to be Personal Estate.

VII. And be it further enacted, That all and every the Shares and Proportions of all Bodies Politick, Corporate and Collegiate, and of all other Persons of and in the said Dock or Docks, or the Joint Stock or Fund of the said Company, shall be and be deemed to be Personal Estate, and transmissible as such, and distributable as such, and not in any respect of the Nature of Real Property.

Proprietors not liable for more than Shares.

VIII. Provided always, That no Person or Persons, Bodies Politick or Corporate, who is, are, or shall be Proprietor or Proprietors of any Share or Shares in the Stock of the said Company, or Contributors thereto, or his, her or their Real or Personal Estates shall be charged with, or liable to any Debt or Demand whatsoever, due or to become due from the said Company, beyond the Extent of his, her or their Capital Stock, or Share or Shares in the Stock of the said Company; any Law, Custom or Usage, to the contrary thereof in any wise notwithstanding.

Directors to make Cails.

IX. And be it further enacted, That the Directors elected or to be elected, for managing the Concerns of the said Company, or any Five or more of them, shall have Power from time to time to call for, audit and settle, without Prejudice however to such final or further Audit as the Proprietors of the said Company may direct or authorize to be made, all Accounts of Money laid out and disbursed for the Purpose of this Act, or the said Docks and Premises, and

to make such Call or Calls of Money from the present or any future Proprietors or Subscribers, their Executors, Administrators and Assigns, according to the Amount of their respective Interests, Shares and Subscriptions already belonging to or subscribed for by, or hereafter to belong to or be subscribed for by him or them for the Purposes of this Act, or of the said Docks and Works already made, or hereafter to be made, as by them the said Directors, or any Five or more of them, shall from time to time be deemed necessary for those Purposes, so that no Call shall exceed the Sum of Ten Pounds for every Hundred Pounds on the Sum or Sums so subscribed, and so as no Call to that Amount be made but at the Interval of Two Calendar Months at the least from the preceding Call, which Money so called for shall be paid to such Person or Persons, and in such manner as the said Directors shall from time to time appoint or direct, for the Use of the said Docks and Premises, and the Owner or Owners of the Joint Stock thereof shall pay his, her or their Proportions of the Monies called for as aforesaid, at such Time and Place, and in such manner as shall be appointed for that Purpose as aforesaid; and if any Person or Persons, Body or Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, shall neglect or refuse to pay his, her or their rateable or proportionable Part or Share, or Parts or Shares of the said Monies to be called for as aforesaid, at the Time and Place to be appointed by the said Directors, then the Person or Persons, Body or Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, so neglecting or refusing to pay the same, shall forfeit the Sum of Five Pounds for every Share of his, her or their respective Subscription or Stock, or Part and Interest therein; and in every such Case the said Dock Company are hereby empowered to sue for and recover, in any Court or Courts of Law or Equity (as the case may require), every or any such Part or Share, or any Part thereof, so neglected or refused to be paid, as also the said Penalty of Five Pounds; and in case such Person or Persons, Body or Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, shall neglect or refuse to pay his, her or their rateable or proportionable Part or Share or Parts or Shares of the said Money to be called for as aforesaid, for the Space of Two Calendar Months after the time, or any of the respective times appointed for Payment thereof as aforesaid, then, and in every such Case, the same may be sued for and recovered by the said Dock Company as last hereinbefore is mentioned, or otherwise at the Option of the said Directors, or of any Five or more of them; the Person or Persons, Body or Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, so neglecting to pay the same, shall forfeit all his, her or their respective Stock or Parts and Interests in the said Joint Stock and Premises, all which Forfeitures shall go to and be for the Benefit of the Rest of the Proprietors, their Successors, Executors, Administrators and Assigns (holding for the Time Shares of the said Stock), in proportion to their respective Interests.

Penalty.

Forfeiture.

X. Provided always, and be it further enacted, That no Advantage shall be taken of any Forfeiture of any such Stock, or any Part thereof, until Notice of such Forfeiture in Writing shall have been previously given or left by some Officer of the said Company, to or with the Owner or Owners of such Stock, or left at his, her or their usual

No Forfeiture without Notice.

or last known Place of Abode, nor unless the same shall be declared to be forfeited at some General Meeting of the said Company, to be held within Six Calendar Months next after such Forfeiture shall happen to be made; and in case of such Forfeiture the same shall be an Indemnification to and for every Proprietor so forfeiting all his or her Stock, Part and Interest as aforesaid, against all and every Action or Actions, Suits or Prosecutions whatsoever, to be commenced or prosecuted for any Breach of Contract, or other Agreement, betwixt such Proprietor or Proprietors so forfeiting, and the Rest of the Proprietors in respect of all Matters and Things to which he or they were or was liable as Proprietor or Proprietors.

In case of Death
Executors to pay
Calls.

XI. And be it further enacted, That if any Person or Persons subscribing or holding any Stock of the said Company shall die before such Call or Calls shall have been made, for the full Sum to be advanced on the Sum or Sums so already subscribed for or hereafter to be subscribed for, while he or they shall have been possessed of or entitled to such Stock, without having made Provision by Will or otherwise, in Writing, how the Money shall be paid upon Calls for the future, then, and in every such Case, the Executors or Administrators of any such Owner or Owners shall be chargeable in respect of such Calls, as for the Debts of the Testator or Intestate, but not otherwise; and in case the Executors, Administrators, or Person or Persons entitled to the Personal Estate, shall refuse or neglect, for the Space of Six Calendar Months, to answer such Calls and Payments, the said Company shall be at Liberty, and are hereby authorized and required to admit any other Person or Persons, or Body or Bodies Politick, Corporate or Collegiate, Corporation Aggregate or Sole, to be Proprietor or Proprietors of the Stock of such Owner or Owners so deceased, on condition that he, she or they so admitted, do and shall, on or before such Admission, pay to the Executors or Administrators of such deceased Owner or Owners, the full Sum and Sums of Money which shall have been paid by such Owner or Owners in his, her or their Life-time, by virtue of any Call or Calls, or otherwise, upon such Share or Shares of such Stock, or such other Sum or Sums of Money as the same can be sold for, first deducting the Penalties that may have been incurred.

Power to sell
Shares.

XII. And be it further enacted, That it shall and may be lawful to and for the several Proprietors of the said Joint Stock, his, her or their respective Executors or Administrators, to sell and dispose of any Share or Shares to which he, she or they may be entitled therein, subject to the Rules and Conditions herein mentioned, the Conveyance of which Shares shall be in the Form or to the Effect following:

Form of Transfer
or Sale.

‘ I *A. B.* of in
‘ consideration of paid
‘ to me by of
‘ do hereby bargain, sell, assign and
‘ transfer to the said the
‘ Sum of Capital
‘ Stock, of and in the Commercial Dock, being Part (or the
‘ Whole, *as the Case may be*), of my Share in the said Dock, to
‘ hold to the said
‘ Executors, Administrators and Assigns, subject to the same Rules,
‘ Orders

Orders and Restrictions, and on the same Conditions that I held the same immediately before the Execution hereof: And I, the said do hereby agree to take and accept the said Capital Stock or Share of subject to the same Rules, Orders, Restrictions and Considerations. As Witness our Hands and Seals, the Day of

And in every such Sale the said Deed of Conveyance (being executed by the Seller or Sellers, and the Purchaser or Purchasers of such Share or Shares) shall be kept by the said Purchaser or Purchasers for his, her or their Security, after the Solicitor or Clerk to the said Company of Proprietors shall have entered in a proper Book or Books to be kept for that Purpose, a Memorial of such Transfer and Sale for the Use of the said Company, and have testified or endorsed the Entry of such Memorial on the said Deed of Transfer, for which no more than Two Shillings and Sixpence shall be paid, and the said Solicitor or Clerk is hereby required to make such Entry or Memorial accordingly, and until such Memorial shall have been made and entered as above directed, such Purchaser or Purchasers shall have no Part or Share of the Profits of the said Docks, nor any Interest for such Share or Shares paid to him, her or them, nor any Vote in respect thereof, as a Proprietor or Proprietors of the said Docks. To be entered.

XIII. And be it further enacted, That after any Call of such Money shall have been made as aforesaid, no Person or Persons shall sell or transfer any Share or Shares which he, she or they shall possess in the said Docks, on Pain of forfeiting his, her or their respective Share or Shares therein to the said Company of Proprietors, in Trust for the Benefit of all the said Proprietors, unless he, she or they, at the Time of such Sale and Transfer, shall have paid and discharged the whole and entire Sum of Money which shall have been called for upon each Share so sold or transferred, such Forfeiture, nevertheless, to be notified and declared at a General or Special Assembly in manner before directed. After Call no Share to be sold until Calls paid.
Penalty.

XIV. And be it further enacted, That the Proprietors of the said Company, or the major Part of them, in General Court assembled, shall and may make, ordain and constitute such and so many Bye-Laws, Constitutions, Rules and Ordinances, as to them or the major Part of them so assembled as aforesaid shall seem meet and convenient for the better governing, electing, appointing, regulating, ordering and managing of the said Company, and the Directors, Officers, Servants and Persons employed in and about the Affairs of the said Company, and to alter, change, revoke, repeal or make void the same from time to time, and so often as they or the major Part of them so assembled, as aforesaid, shall judge necessary and expedient, provided that such Bye-Laws, Constitutions, Rules and Ordinances be printed, and be not contrary or repugnant to the Statutes, Customs or Laws of that Part of the United Kingdom of Great Britain and Ireland called England, nor to any thing in this Act contained; but no Order, Bye-Law, Constitution, Rule or Ordinance so made, shall be good and valid without being confirmed at a subsequent General Meeting of the said Company, Ordinary or Extraordinary, to be held as hereinafter mentioned. Powers of General Courts.

XV. And be it further enacted, That the First General Court of the First General Meeting.

the said Company shall be held at the House of the said Company, No. 2, in *London Street, Fenchurch Street*, in the City of *London*, on the *First Friday* which shall ensue next after the Expiration of one Week, from and after the passing of this Act.

Annual General Meeting.

XVI. And be it further enacted, That a General Court of the said Commercial Dock Company shall be held at least Twice in each and every Year, on the following Days, that is to say, on the *Second Friday in January*, and the *Second Friday in July* in each and every Year.

Proprietors may upon Notice have Special Meetings.

XVII. Provided always, and be it enacted, That if any Six or more of the said Company, who shall severally be Proprietors of Ten Shares or upwards of the said Stock, shall judge it necessary or expedient to have an extraordinary General Meeting of the said Company called, and shall request the same to be called, by Notice in Writing under their respective Hands, delivered to the Clerk or Secretary, or any Director of the said Company for the time being, specifying in every such Notice the Business intended to be proceeded upon at such Meetings, the said Directors or any Three or more of them, shall, within Ten Days after the Delivery of such Notice, and they and their Successors are hereby authorized and directed and required to call such Extraordinary Meeting to assemble at such Time and Place within the Limits aforesaid, as they shall judge expedient, within Ten Days from and after such Notice, and such Meeting shall be deemed a Publick One, and all Proceedings then duly had and confirmed by a subsequent Meeting, ordinary or extraordinary, shall be deemed as valid and effectual, to all Intents and Purposes whatsoever, as if the same had been done at Meetings in the manner hereinbefore appointed.

Present Directors.

XVIII. And be it further enacted, That *Sir Charles Price* Baronet, *William Adam*, *John Atterfoll*, *John Saint Barbe*, *William Browning*, *Richard Harford*, *Perrot Fenton*, *William Fremc*, *George Grotz*, *Thomas Horncastle*, *Thomas Oom*, *William Tooke Robinson* and *Thomas Ritchie*, shall be and continue Directors of the said Company, until the *Twenty fifth Day of September* One thousand eight hundred and ten, unless such Directors or either of them shall die, be removed by the Court of Proprietors, or otherwise, or dispose of his or their Shares in the said Stock, so as to reduce the same under the Number of Ten, in any of which Cases it shall and may be lawful to and for the next General Meeting of the said Company, ordinary or extraordinary, to nominate and appoint by Ballot a new, or other Director, in the Room of such Director or Directors so dying, being removed, or having disposed of his or their said Stock, for the Remainder of the Term which such Director would have been in Office, and so from time to time as Occasion may require.

Quorum of Directors.

XIX. And be it further enacted, That not less than Five of the said Directors shall be a *Quorum*, capable of acting, and hereby empowered to act at the ordinary Meetings of the said Directors, and that all Motions and Questions which may be made and put at such Meetings, shall be decided by a Majority of the Directors present, and if the Numbers on each Side should happen to be equal, the Chairman of the Meeting shall in every Case give the casting Vote.

To maintain and support Docks already made, and to make other Docks, &c.

XX. And be it further enacted, That the said Company shall be, and they are hereby authorized and empowered, by themselves, or their Directors, Agents, Servants and Workmen, to maintain and improve

improve the Docks and Works already made, and also to make, complete and maintain one or more additional Dock or Docks, Basin or Basins, Timber Pond or Timber Ponds, and Entrance or Entrances, communicating with the River *Thames*, in the Parish of *Saint Mary Rotherhithe*, in the County of *Surrey*, at a certain Place called *Trinity Street*, and also at a certain other Place called *Globe Stairs*, provided that such last mentioned Entrance at *Globe Stairs* shall not be made without the Consent of the Lord Mayor, Aldermen and Commons of the City of *London*, in Common Council assembled, first had and obtained in Writing for that Purpose.

XXI. Provided always, and be it further enacted, That it shall be lawful for the said Company to make another Entrance into the River *Thames*, at any Point between *Trinity Street* and the East or lower Side of the Premises in the Possession of Messieurs *Young and Wallis*, usually known by the Name of the *Lavender Dock*, and for that Purpose to cut through such Part of *Rotherhithe Street* as shall be necessary for the making such Entrance; and the said Company shall, in such Case, make a good and sufficient Bridge, and keep the same in repair, as directed by this Act, and make good all such Parts of the said Street, or any Parts adjoining thereto, as shall be damaged in making such Entrance; provided always, that it shall not be lawful for the said Company to take any Houses, Buildings, Lands, Tenements or Hereditaments, for the Purposes of making such Entrance, without the Consent of the Owners and Occupiers thereof in Writing first had and obtained.

Enabling Company to make another Entrance into the River *Thames*.

XXII. And be it further enacted, That the said Company, in making these Docks and other Works, shall not deviate from or extend beyond the Line described in the said Map or Plan deposited in the Office of the Clerk of the Peace for the County of *Surrey*, in and the said Schedule, marked (A.) hereunto annexed, without the Consent in Writing of the Person or Persons whose Lands or Premises shall be wanted for their Purpose; but it shall be lawful for the said Company, with such Consent, to purchase any Lands, Tenements or Hereditaments, for all or any of the Purposes aforesaid, although the same shall not be within the said Line, not exceeding Twenty Acres in the Whole, to be so purchased with such Consent as aforesaid: Provided always, that nothing in this Act contained shall extend or be construed to extend to authorize or empower the said Company, or any Person or Persons on their Behalf, to take or make use of, for the Purposes of this Act, any Houses, Gardens or Orchards, without the Consent of the Owners or Proprietors thereof, in Writing, first had and obtained; save and except the Houses, Buildings, Lands, Tenements and other Hereditaments, mentioned and described in the Schedule hereunto annexed, marked (A.)

Not to deviate.

Provide

XXIII. And be it further enacted, That the said Company shall have full Power and Authority to supply the Docks, Basins, and other Works already made, or hereafter to be made, or any of them, at all times hereafter, with Water from the River *Thames*, and all such Brooks, Springs, Rivulets, Rivers, Waters and Water-courses, as shall be found in the digging and making the said Docks or Basins, and other Works respectively.

May take Water from the *Thames* to fill Docks, &c.

XXIV. And be it further enacted, That the said Company shall pay to the said Mayor and Commonalty and Citizens of the City of *London*, the Sum of Five Pounds and Five Shillings, as a Fine or Acknow-

Company to pay City of *London*, a Sum of Money as a Fine for Liberty of ent-

ting into the
Thames, &c.

Acknowledgment for the Liberty of cutting and digging the Bank and Shore of the River *Thames* at each of the Entrances to be made by virtue of this Act, and also pay to the said Mayor and Commonalty and Citizens of the said City, their Successors, Collectors or Assigns, for ever, an annual Rent or Sum of Two Pounds and Two Shillings for continuing each and every such Entrance after the said Bank and Shore shall be cut and dug for the Purposes aforesaid; and such annual Sum is hereby charged upon and made payable by, and may be recovered from the said Company, by Action of Debt, or on the Case, in any of His Majesty's Courts of Record at *Westminster*.

To make Bridges.

XXV. Provided always, and be it further enacted, That for the Benefit and Convenience of Commerce, and the Inhabitants of the Parishes and Parts adjoining, the said Company shall be compellable to make, set up, and maintain, in perpetual Repair, Bridges for the Use and Convenience of the Inhabitants and others, and for Carts, Carriages and Horses, in the Places or Lines following; that is to say, in the Line across the proposed Entrance from the River *Thames* into the Dock or Docks, Basin or Basins, Timber Pond or Timber Ponds, intended to be made and across the proposed Cut, from the Commercial Docks already made to the said intended Dock or Docks, Basin or Basins, Timber Pond or Timber Ponds, and they shall be compellable to make, set up and maintain, in perpetual Repair, all such Bridges as aforesaid.

Roads and
Streets altered.

XXVI. And be it further enacted, That the said Company shall have full Power to alter the Road leading from *Plough Bridge* to *Trinity Street*, and also the Streets or Highways following; that is to say, *Trinity Street*, *Queen Street*, *Rotherhithe*, otherwise *Redriffe Street*, and *Lavender Street*; and all other Roads and Ways, if the same shall by them be deemed necessary to all or any of the Purposes aforesaid: Provided always, that such Alteration shall not vary the Direction of the Road or Street, and shall be approved of by the Trustees of the said Roads: Provided also, that no Alteration whatever be made in the Foot Way leading from *Grove Street* to *Russel Street*.

For making up
Deficiency in
Rates of Parish
of Saint Mary
Rotherhithe.

XXVII. And whereas, by reason of taking down Houses, and making Alterations in pursuance of this Act, there may be Deficiencies in the Produce of the Assessments for Land Tax, and paving, cleansing, watching, and lighting, Highway Rates and Poor's Rates, within the Parish of *Saint Mary at Rotherhithe*, otherwise *Redriffe*, in the County of *Surrey*; Be it therefore further enacted, That the said Company, from and after the passing of this Act, shall and will, for and during the Term of Three Years, or such other shorter time, within which the said several Works hereby directed to be made or done, by or on behalf of them, shall be completed, be subject and liable to make good to the same Parish, with and out of the Monies to arise and be received by them the said Company, under or by virtue of this Act, all such Sum or Sums of Money, which during such Term shall be deficient in respect of the Produce of the Assessments for Land Tax, and paving, cleansing, watching and lighting, and Highway Rates and Poor's Rates, within the said Parish, by reason or means of the Alterations arising from or occasioned by the making of the said Docks, and other Works and Premises which shall belong thereto, according to the Produce of such several Assessments

ments and Rates respectively from the Twenty ninth Day of *September* One thousand eight hundred and eight, to the Twenty ninth Day of *September* One thousand eight hundred and nine, and shall pay the same accordingly to the several Collectors of the said Taxes and Rates: Provided always, that when and so soon as after this Act shall be carried into Execution, the Produce or Payments for and in respect of the several Assessments for Land Tax, and paving, cleansing, watching and lighting, Highway Rates and Poor's Rates, or any of them, of and for all and singular such Houses, Buildings, Lands, Tenements and Hereditaments whatsoever, as for the time being shall be standing upon or Part of the Lands, and other Hereditaments in the said Parish, which shall be purchased for making and using the said Docks, and other Works and Premises which shall belong thereto, shall raise a larger Sum of Money at the same Rate *per* Pound than the Sum raised by the Assessments from the said Twenty ninth Day of *September* One thousand eight hundred and eight, to the said Twenty ninth Day of *September* One thousand eight hundred and nine, of and for all and singular such Houses, Buildings, Lands, Tenements and Hereditaments whatsoever, now situated in the said Parish, as shall be purchased for the same last mentioned Purposes, that then the Surplus shall, in the first Place, be applied and paid to the said Company, towards re-imbursing them what they shall have paid for or in respect of the aforesaid Deficiencies in the Assessments for Land Tax, and paving, cleansing, watching and lighting, Highway Rates and Poor's Rates respectively, and so from time to time, when and as often as there shall be any Surplus, until the said Company shall be wholly re-imbursed and repaid all Monies which they shall have disbursed to make good such Deficiencies.

‘ XXVIII. And whereas certain Parts of the Ground of several
 ‘ of the Streets and other Passages and Places, within the said Parish
 ‘ of *Saint Mary at Rotherhithe* otherwise *Redriffe*, and described to
 ‘ be within the Limits of the said intended Docks, have been pur-
 ‘ chased and paved under the Directions of a certain Act passed in the
 ‘ Twenty third Year of the Reign of His present Majesty, intituled,
 ‘ *An Act for better paving, cleansing, lighting and watching the Streets,*
 ‘ *Lanes, Yards, Courts, Alleys and Passages within the Parish of Saint*
 ‘ *Mary at Rotherhithe otherwise Redriffe, in the County of Surrey,*
 ‘ *and for removing and preventing Nuisances and Annoyances therein,*
 ‘ at a very considerable Expence, which was defrayed as well by
 ‘ Money borrowed on Life Annuities as at Interest; and if such
 ‘ Parts of the Ground of such Streets, Lanes, Yards, Courts, Al-
 ‘ leys and Passages, were taken away and destroyed, the Securities
 ‘ of the said Annuitants and Bond Creditors would be much less-
 ‘ ened and weakened;’ Be it therefore enacted, That for all such
 Parts of the said Parishes of *Saint Mary Rotherhithe*, otherwise
Redriffe, and Places adjacent thereto, as have been purchased or
 paved under the Authority of the said Act, and within the Limits
 proposed for the said Docks, the said Company shall, on their re-
 quiring Possession of any such Parts of the Ground of such Streets,
 Lanes, Yards, Courts, Alleys, and Passages or Places, for the Pur-
 poses of the said intended Docks, pay or cause to be paid to the
 Commissioners appointed under and by virtue of the said last-mentioned
 paving Act, the Value as well of all such Ground so purchased by
 the

Company to
 make Compensa-
 tion to Com-
 missioners for
 executing the
 Paving Act of
 23 G. 3. c. 31.
 for Loss of
 Ground, &c.

the said Commissioners for making the said Streets, as also of the Foot Pavement, Stones, Pebbles and other Materials, which were used by the said Commissioners in and about paving such Streets, Passages or Places as aforesaid.

Company to
repave Streets,
in case they shall
take up any of
the Pavements,
&c.

‘ XXIX. And whereas it may become necessary for the said Dock Company to take up the present Pavement in different Parts of the said Parish of *Rotherhithe*, in order, by raising the Ground, to form inclined Planes for the Purpose of enabling Carts, Carriages and Passengers, to pass over the Sluices or Cuts proposed to be made, to connect the said intended Docks with the River *Thames* ;’ Be it therefore enacted, That in case the said Dock Company shall at any time or times after the passing of this Act take up any of the Pavement in the said Parish of *Rotherhithe*, the Streets, Lanes, Yards, Courts, Alleys and Passages, where such Pavement shall have been taken up shall be paved again in a Workmanlike Manner, at the Expence, Costs and Charges of the said Dock Company ; and as to the Pavement which shall be laid by the said Dock Company on the said inclined Planes, or any other newly made Ground, the same shall be kept in Repair by the said Dock Company, at their own Costs and Charges, for the Space of Three Years from the time of the making or laying of such Pavement.

Swing Bridges
to be made over
Cuts connecting
Docks with River
Thames.

‘ XXX. And whereas it is expedient that the Trade and Business of the Inhabitants of the Parish of *Rotherhithe* should be interrupted or delayed as little as may be ;’ Be it therefore enacted, That the said Dock Company shall construct or make one Swing Bridge over every Cut or Sluice to be made for connecting the said Docks with the River *Thames*, and one Platform, Bridge or Footway over each Dockgate, at every such Cut or Sluice ; and that either the said Swing Bridge, or One of the said Platform-Bridges, or Footways, shall be kept shut for the Passage of Carts, Carriages or Passengers, (unless in Cases where it shall be unavoidably necessary to keep open all the said Bridges) and that the inclined Planes leading to the said Swing-Bridges shall not be steeper than at the Rate of Eighteen Feet for every Foot of perpendicular Height.

This Act not
to alter the
Powers of
23 G. 3. c. 31.

XXXI. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to alter, lessen or vary the Powers and Authorities contained in the said Act passed in the Twenty third Year of the Reign of His present Majesty, intituled, *An Act for better paving, cleansing, lighting and watching the Streets, Lanes, Yards, Courts, Alleys and Passages within the Parish of Saint Mary at Rotherhithe otherwise Redriffe, in the County of Surrey*.

No Bridge to be
made, or Road
broken up, till
another Road
made by the
Company.

XXXII. Provided always, and be it enacted, That before any Bridge or Bridges shall be made, or any Road or Highway shall be cut into, broken up or altered, for the Purposes of this Act, the said Company shall, and they are hereby required in lieu thereof, at their proper Costs and Charges, to set out, make and properly secure and finish, to the Satisfaction of the Trustees or Surveyors of the Road or Highway, Roads or Highways respectively to be cut into, broken up or altered, a good Road or Way, safe, fit and convenient for all Persons, Horses and Carriages, to go, pass and repass over the same, to and from the remaining Parts of the said Road or Highway, Roads or Highways so to be cut into, broken up or altered, proper Drains for carrying off the Water from the same.

XXXIII. And be it further enacted, That any and every Road or Way to be made for the Passage of Travellers, during the time of building any and every Bridge, shall be kept and maintained by the said Company in good State and Condition, until any and every such Bridge shall be completely finished, and until the Trustees or Five or more of them, or the Surveyor or Surveyors of the Highways respectively, of any Road, Street or Highway to be cut into, broken up or altered, for the Purpose of building such Bridge or Bridges, shall certify that the said Bridge or Bridges, with the Road or Roads over the same, shall be safe, fit and convenient for the passing and repassing of Persons, Horses and Carriages.

Temporary
Roads to be
kept in Repair
till Bridges
completed.

XXXIV. And be it further enacted, That every Bridge to be built by virtue of this Act over any of the Publick Roads, under the Management of the said Trustees, shall be built of Stone or Bricks, with good and sound Materials, and that the Roadway over the same shall be of the Width of Twenty six Feet in the Clear at the least, and that the Roadways to the Centre of such Bridge shall be made with regular and gradual Ascents of One Foot in the Length of every Thirty Feet, or of such other regular and gradual Ascents as shall be directed or required by the Trustees, or any Five or more of them, of any and every Road or Highway on or over which such Bridge or Bridges shall be made or adjoin; and the said Roadways, Paths or Causeways, on every such Bridge, shall be supported, and the Passage over the same secured and maintained by proper Embankments faced with Stone or Bricks, or by Posts and Rails, and each Side of the Surface thereof, by and at the Expence of the said Company, and to the Satisfaction of the said Trustees; and from and after any such Bridge shall be so erected, the same, and all and every the Piers, Walls, Abutments, Banks, Copings, Posts, Rails, and other Fences thereto belonging, shall, at all times for ever thereafter, be repaired and kept in good State and Condition by and at the Costs and Charges of the said Company, to the Satisfaction of the Trustees, Commissioners or Surveyors aforesaid: Provided nevertheless, that nothing herein contained shall be construed to oblige or compel the said Company to maintain and keep in Repair the Surface of the Road over any such Bridge from and after the Expiration of Twelve Calendar Months next following the Day on which the Passage over the said Bridge and Road shall be certified by the said Trustees, or any Five of them, to be safe, fit and convenient for the passing and repassing of Persons, Horses and Carriages.

Manner of building Bridges.

Provida.

XXXV. And be it further enacted, That in case the said Company, or their Successors for the time being, shall at any time neglect to make or secure such Way or Passage as aforesaid, before and during the building of any such Bridge and Bridges, or to repair, support and maintain such Bridge and Bridges, and the Piers, Walls, Abutments, Banks, Copings, Posts, Rails or Fences thereof, or any of them, for the Space of Fourteen Days next after Notice requiring the same, in Writing, under the Hands of any Five or more of the said Trustees before mentioned, shall be given or left for the said Company at the House, Lodge or Office of the said Company, or given to the Treasurer, Secretary, Surveyor or other Chief Officer of the said Company, or left for him or them at his or any of their Dwelling House or Houses, Place or Places of Abode, then, and in every such Case, it shall be lawful for the said Trustees or Surveyors respectively,

On Neglect by
Company, Re-
pairs to be done
by Trustees,
Commissioners,
or Surveyors
of Roads and
Highways.

respectively, to cause such Ways or Passage, Bridge or Bridges, and the Piers, Walls, Abutments, Banks, Copings, Posts, Rails, and other Fences, to be made, secured, repaired and amended, as the Case may require, and the Charges and Expences thereof, together with a further Sum of One Penny for every Penny laid out and expended thereabouts, shall be paid by the said Company to the said Trustees or Surveyors respectively, causing the said Works to be done; and in case the said Company shall neglect to pay what shall be so paid, laid out and expended, together with the Sum on which One Penny for every Penny expended, laid out or incurred, shall amount unto, within Fourteen Days next after Notice thereof shall be left at the House, Lodge or Office of the said Company, or given to the Treasurer, Secretary, Surveyor or other Chief Officer of the said Company, or left for him or them at his or any of their Dwelling Houses, or Place or Places of Abode, which Notice shall be in Writing, signed by any Five or more of the said Trustees, or their Clerk or Surveyor, or by the said Surveyor or Surveyors, and annexed to or written under a Bill containing an Account of such Charges and Expences, it shall and may be lawful to and for any Five or more of the said Trustees for the time being, or the Surveyor or Surveyors before mentioned, as the Case may require, in their Names, and they are hereby respectively authorized and empowered to bring or cause to be brought, any Action or Actions in any of His Majesty's Courts at *Westminster*, against the said Company for the Recovery thereof, and therein to recover such Sum and Sums of Money as shall or may be so laid out, expended or incurred, together with One Penny for every Penny on the Amount thereof, and full Costs of Suit, in which Action no Essoin, Privilege or Wager of Law, or more than One Imparance shall be allowed.

Company empowered to arch over and make new Sewers.

XXXVI. And be it further enacted, That it shall and may be lawful for the said Company to cause all or any Sewers or Drains, which shall lie and be in or near the intended Docks or other Works, which shall belong thereto, to be arched over, filled or stopped up, widened or otherwise altered, as they shall think necessary for making and completing the said Docks and other Works, so as the said Company do and shall previous thereto make and construct, and they are hereby authorized and required to make and construct, in lieu of the Sewers and Drains so to be filled and stopped up, other good Sewers and Drains of sufficient Depth and Width for carrying off the Water from the Lands and Premises adjoining or near to the said Works, and as serviceable and convenient in all respects as the Sewers or Drains so to be filled or stopped up, and so as that all such widening, altering and constructing of Sewers and Drains by them as aforesaid, shall be done under the immediate Inspection and Direction, and to the Satisfaction of His Majesty's Justices and Commissioners of Sewers for the Limits, extending from *East Mouldsey* in the County of *Surrey* to *Ravensthorpe* in the County of *Kent*; and all such new Sewers and Drains shall, immediately on their being made, become vested in, and be and remain under the Jurisdiction of the said Commissioners of Sewers.

Notice to Commissioners of Sewers of Intention to arch over or make new Sewers.

XXXVII. And be it further enacted, That whenever the said Company of Proprietors shall deem it necessary to arch over, fill, or stop up, widen or otherwise alter any Sewer or Drain in or near the said intended Docks, Notice in Writing thereof, signed by the Secretary,

tary, Clerk or Surveyor to the said Company, shall be given to the Clerk to the said Commissioners of Sewers, specifying the Work deemed necessary to be done, and on Receipt thereof the said Clerk shall and he is hereby required to convene a Meeting of the said Commissioners, or any Six or more of them, within Fourteen Days after such Notice, to view the Sewer or Drain so deemed necessary to be arched over, filled or stopped up, widened or altered; and the said Commissioners are hereby required to view the said Premises, and thereon or within Twenty Days thereafter, to make such Order and Direction for the arching over, filling or stopping up, widening or altering any such Sewer or Drain, or in lieu thereof, for the making, constructing or forming any other Sewer or Drain, as to them the said Commissioners shall seem meet and requisite; and after such Order and Direction shall be made, and Payment of the Charges and Expences attending the same, and of such View and Survey, and after the making of such new Sewer or Drain, in the case of filling or stopping up any present Sewer or Drain, but not before, it shall and may be lawful to and for the said Company of Proprietors to cause the Sewer or Drain, Sewers or Drains, mentioned and specified in the said Notice to be arched over, filled or stopped up, widened or altered, as the Case shall require, according to the Order and Direction of the said Commissioners in that behalf made, and not otherwise.

XXXVIII. Provided always, and be it enacted, That no Slip or Slips, Dry Dock, Graving Dock-way, or other Place for the building, heaving down, or repairing of Ships or other Vessels, shall at any time hereafter be made or built, or permitted or suffered to be made or built within the Walls surrounding any of the said Docks hereby authorized to be made, or of the Basons or Entrances which shall belong thereto, nor shall any Communication at any time hereafter be made into the said Commercial Dock, or to any of the Basons or Entrances which may belong thereto, from any Wet Dock, Slip or Slips, Dry Dock, Graving Dock-way, or other Place, for the building, heaving down or repairing of Ships or other Vessels, which hereafter may be adjoining to the said Commercial Docks, or to any of the Basons or Entrances which may belong thereto; nor shall the said Commercial Dock Company at any time or times hereafter carry on, or be otherwise concerned in the Trade or Business of building or repairing the Hulls or Masts of Ships or Vessels for Hire or Profit: Provided also, that nothing in this Act contained shall prevent or hinder the said Company from letting or demising the Ship Yard and Premises belonging to them, and now in the Occupation of *Daniel Brent* Esquire, to any Person or Persons whomsoever, or from permitting or allowing Docks, Slips and Communications to be made upon or from the Ship Yards, Land and Premises near the said Commercial Dock, and already established or used as a Dock Yard or Dock Yards, or any way connected therewith.

XXXIX. And be it further enacted, That the said Directors, or any Five or more of them, by and with the Consent of the major Part of the Proprietors of the said Docks and Premises, present at any General Meeting or General Meetings assembled for the Purpose, from time to time, shall have full Power and Authority for all or any the Purposes aforesaid, to contract and agree, and to employ any Person or Persons to contract and agree with the Owner or

No Dry or Graving Docks to be made within the Walls surrounding the Docks.

Power to purchase Lands, &c. and to treat,

Owners, Occupier or Occupiers, of all such Houses, Buildings, Lands, Tenements and Hereditaments, of what Nature or Kind soever, in or near the Parish aforesaid, within the Limits in the Plan deposited with the Clerk of the Peace for the County of Surrey, and specified in the Schedule marked (A.) hereunto annexed, as they shall judge necessary, to purchase, employ, pull down, remove, alter or make use of, in and about the Works and Concerns of the said Docks, Basins, Ponds, Entrance or Entrances, Communications or Inlets, Cuts or Quays, or any of them, or for the Purpose of enlarging or improving the same.

Limitation for
Power for Five
Years.

XL. Provided always, and be it further enacted, That if the said Company shall not, within the Space of Five Years next after the passing of this Act, agree for or cause to be valued, as hereafter is mentioned, and purchase the Houses, Buildings, Lands, Tenements and Hereditaments, which they are hereby empowered to purchase as aforesaid, then and from thenceforth all the Powers to them hereby granted for such Purpose only, shall cease, determine and be utterly void, and of none effect, any thing herein contained to the contrary notwithstanding.

Power to contract
with Joseph
Moore for the
Purchase of cer-
tain Lands, &c.

XLI. And be it further enacted, That it shall be lawful for the Proprietors of the said Docks, at any General Court or Courts of the Proprietors to be held within One Calendar Month after the passing of this Act, to contract and agree with *Joseph Moore of Dorking*, in the County of Surrey, the Owner of certain Lands in the County of Surrey lying near to the said Docks, for the Purchase of the said Lands, not exceeding in the whole Forty five Acres, and which are comprised in the said Plan deposited with the Clerk of the Peace as aforesaid: Provided always, that no such Contract shall be valid, unless the same shall be duly entered into at One General Court of the said Proprietors, and confirmed at another General Court, to be holden at the Distance of Seven Days from such First General Court; and unless Notice of holding such General Courts shall be given at least Ten Days previously to such First Court, by publick Advertisement in the *London Gazette*, and in Four of the *London Newspapers*, and which Notice shall specify and set forth the Object for which such General Courts are to be held.

Incapacitated
Persons, and
Bodies Cor-
porate, &c.
authorized to
sell and convey.

XLII. And be it further enacted, That it shall and may be lawful for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, or others having a partial or qualified Interest or Estate in any Houses, Lands, Tenements or Hereditaments, Husbonds, Femmes Covert, Guardians, Trustees and Feoffees in Trust for Charities or other Purposes, Committees, Executors or Administrators, and all other Persons whatsoever, not only on Behalf of themselves and their respective Heirs, Executors, Administrators and Successors, but also on Behalf of all Persons entitled in Reversion or Remainder, expectant on an Estate Tail, and on Behalf of all Persons entitled in Reversion or Remainder expectant on an Estate for Life, or other less Estate, or by way of Executive Devise, in case such Person shall be incapacitated or decline to treat, and on Behalf of their respective Wives and *Cestuique* Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femmes Covert, or others, and for all and every other Person or Persons whomsoever who are and shall be seised of or interested in any such Houses, Lands, Tenements and Hereditaments, to treat and agree with

with the said Company, or with the said Directors, or any Five or more of them as aforesaid, for the absolute Sale, and to sell and convey to them all such Houses, Lands, Tenements or Hereditaments, as shall be adjudged necessary and convenient for the Purposes aforesaid; and that all Contracts, Agreements, Leases, Conveyances and other Assurances, which shall be *bona fide* made for the Purposes aforesaid, shall be good and effectual in Law, to all Intents and Purposes, any thing to the contrary thereof in any wise notwithstanding; all which Contracts, Agreements, Leases, Sales, or Conveyances and Assurances, shall be made at the Expence of the said Company of Proprietors, which said Leases, Sales, Conveyances and Assurances shall be kept by the Clerk or Solicitor to the said Company of Proprietors, who shall from time to time, when requested, deliver attested Copies thereof to any Person or Persons interested therein, and requiring the same, at the Expence of the Person or Persons so requiring the same.

XLIII. And be it further enacted, That if any Body or Bodies Politick, Corporate or Collegiate, or any other Person or Persons seized or possessed of or interested in any such Houses, Buildings, Lands, Tenements or Hereditaments as aforesaid, shall refuse to treat or agree, or shall not agree, or by reason of Absence or Disability cannot agree with the said Directors, or with any Person or Persons authorized by them, for the Sale and Conveyance of their respective Estates and Interests therein, or cannot be found or known, or shall not produce and evince a clear Title to the Premises they are in Possession of, or to the Interest they claim therein, to the Satisfaction of the said Directors, or of the Person or Persons so authorized by them, then, and in every such Case, it shall be lawful for the said Directors, or Three or more of them, and they are hereby required to issue a Warrant or Warrants, Precept or Precepts, directed to the Sheriff or Bailiff of the County, City, Division or Liberty, wherein the Premises shall respectively lie or be, who is hereby authorized, directed and required accordingly, to impanel, summon and return a competent Number of substantial and disinterested Persons, qualified to serve on Juries, not less than Forty, nor more than Seventy two, and out of such Persons so to be impanelled, summoned and returned, a Jury of Twelve Men shall be drawn by some Person, to be by the said Directors appointed, in such manner as Juries for the Trial of Issues joined in His Majesty's Courts at *Westminster*, are by an Act made in the Third Year of the Reign of His late Majesty, King *George the Second*, intituled, *An Act for the better Regulation of Juries*, directed to be drawn, which Persons so to be impanelled, summoned, and returned as aforesaid, are hereby required to come and appear before the Justices of the Peace for the said County of *Surrey*, at some Court of General or Quarter Sessions of the Peace to be holden in and for the same County, or at some Adjournment thereof, to be holden within the Borough of *Southwark*, or within Twelve Miles thereof, as in such Warrant or Warrants, Precept or Precepts, shall be directed and appointed, and to attend such Court of General Quarter-Sessions, or Adjournment, from Day to Day until discharged by the said Court, and all Persons concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not be at Liberty to challenge the Array; and the said Justices are hereby authorized and empowered, by Precept or Precepts, from time to time, as Occasion shall require,

Compulsion to sell, and Satisfaction to be made for Losses, &c. purchased.

Jury.

3 G. 2. c. 25.

Challenge.

Witnesses ex-
amined.

Adjournment,
&c.

Notice to
Parties.

to call before them all and every Person or Persons whomsoever, who shall be thought proper and necessary to be examined as a Witness or Witnesses, on his, her or their Oath or Oaths, Affirmation or Affirmations, touching or concerning the Premises; and the said Justices, if they think fit, shall and may, on the Application of either Party, likewise authorize the said Jury to view the Place or Places, or Premises in question, in such manner as they shall direct; and the said Justices shall have full Power to adjourn such Court from Day to Day, as Occasion shall require, and command such Jury, Witness, and Parties to attend until all such Affairs for which they were summoned shall be concluded, and the said Jury, upon their Oaths (which Oaths, as also the Oaths or Affirmations of such Persons or Person as shall be called upon to give Evidence, the said Justices are hereby empowered and required to administer) shall enquire of the Value of such Houses, Buildings, Lands, Tenements or Hereditaments, and of the proportionable Value of the respective Estate and Interests of all and every Person and Persons seized or possessed thereof, or interested therein, or of or in any Part or Parts thereof, and shall assess or award the Sum or Sums of Money to be paid to such Person or Persons, Parties or Party respectively, for the Purchase of such Houses, Buildings, Lands, Tenements or Hereditaments, or of such respective Estates and Interests therein, and also for Good Will, Improvements, or any Injury or Damage that may affect any such Person or Persons, Party or Parties, either as Leasehold or Tenant at Will, provided that such Good-Will shall be estimated by what, in the Opinion of such Jury, the same would have been worth, in case the Improvements intended by this Act had not been in Contemplation; and the said Justices shall and may give Judgment for such Sum or Sums of Money so to be assessed, which Verdict or Verdicts, and the Judgment and Judgments, Determination and Determinations thereupon, (Notice in Writing being given to the Person or Persons interested, or claiming so to be, at least Fourteen Days before the time of the Meeting of the said Justices as aforesaid) and the Jury, by leaving such Notice at the Dwelling House of such Person or Persons, or at his, her or their usual Place or Places of Abode, or with some Tenant or Occupier of the Premises respectively intended to be valued, shall be binding and conclusive, to all Intents and Purposes whatsoever, against all Bodies Politick, Corporate or Collegiate, and all and every Person or Persons claiming any Estate, Right, Title, Trust, Use or Interest in to or out of such Houses, Buildings, Lands, Tenements, Hereditaments and Premises in Possession, Reversion, Remainder or Expectancy, as well Infants, Issue unborn, Lunatics, Idiots and Females Covert, and Persons under any other legal Incapacity or Disability, and all other *Cestuique* Trusts, their, his, and her Heirs, Successors, Executors and Administrators, and against all other Persons whomsoever; and the said Verdicts, Judgments, Determinations and all other Proceedings of the said Justices and Juries so to be made, given and pronounced as aforesaid, shall be fairly written on Parchment, and signed by the Clerk of the Peace for the time being, of the County, City, Division, District or Liberty, wherein the Premises shall respectively lie or be; and in case it shall so happen that the Sum or Sums of Money so to be assessed, in consequence of such Refusal to treat and agree as aforesaid, as the Value of such Houses, Buildings, Lands, Tenements or Hereditaments,

ditaments, or as such proportionable Value as aforesaid, and as the Recompence and Satisfaction to be made for the Injury or Damage sustained as before mentioned respectively, shall not exceed the Sum or Sums of Money which the said Directors, or any Person or Persons authorized by them, shall have previously offered to pay as and for such Value, Recompence and Satisfaction, then, and in every such Case, all the reasonable Costs, Charges and Expences of causing and procuring such Value and Recompence to be assessed and awarded, as aforesaid, and of so assessing and awarding the same, shall be borne and paid by the Body or Bodies Politick, Corporate or Collegiate, or other Person or Persons so seised or possessed of, or interested in such Houses, Buildings, Lands, Tenements or Hereditaments; and so refusing to treat and agree as before mentioned respectively; and the said Directors are hereby authorized and empowered to deduct and retain the Costs, Charges and Expences, out of the Sum or Sums of Money so to be assessed or awarded as aforesaid; or out of any Part thereof; and in case the Sum or Sums so assessed or awarded as aforesaid shall exceed the Sum or Sums of Money offered by the said Directors, then such Costs as aforesaid shall be paid by the said Directors out of the Funds of the said Company: *Provided* always, that in all Cases where any Person or Persons shall, by reason of Absence, have been prevented from treating respecting such Recompence and Satisfaction as aforesaid, the Whole of such Costs, Charges and Expences shall be borne and paid by the said Company in manner aforesaid.

XLIV. And be it further enacted, That the said Justices shall have Power from time to time, to impose any reasonable Fine, not exceeding the Sum of Ten Pounds on such Sheriff or Bailiffs, or his Deputy or Deputies, Bailiffs or Agents respectively, making Default in the Premises, and on any of the Persons who shall be summoned and returned on any such Jury or Juries and shall not appear, or, appearing, shall refuse to be sworn on the said Jury or Juries, or being so sworn shall not give his or their Verdict; and also on any Person or Persons who shall be summoned to give Evidence touching any of the Matters aforesaid, and shall not attend, or, attending, shall refuse to be sworn or affirm, or who shall refuse to give his, her or their Evidence, and on any Person or Persons who shall in any other manner wilfully neglect his, her or their Duty in the Premises, contrary to the true Intent and Meaning of this Act, and from time to time to levy such Fine or Fines, by order of the said Justices, by Distress and Sale of the Offender's Goods and Chattels, together with the reasonable Charges of every such Distress and Sale, returning the Overplus (if any) to the Owner or Owners; and that a Copy of the Order of the said Justices, signed by the Clerk for the time being, of the County, City, Division, District or Liberty, wherein the Premises shall lie or be, as the case shall require, shall, respectively, be sufficient Authority to the Person or Persons therein to be appointed, and to every such other Person acting, or aiding and assisting therein, to make such Distress and Sale, and all such Fines shall be paid to the Treasurer or Banker of the said Dock Company for the time being, to be applied to the Purposes of this Act.

XLV. And be it further enacted, That the Conveyance of any such Estates or Interests of any Feme Covert, to the said Directors or their Successors, or any Person or Persons in Trust for them, by Bargain and Sales inrolled to be as effectual as Recoveries.

Indenture or Indentures of Bargain and Sale, sealed and delivered by such Feme Coverts, in the Presence of, and attested by Two or more credible Witnesses, and duly acknowledged, and to be inrolled in the High Court of Chancery, within Six Calendar Months after the making thereof, shall as effectually and absolutely convey the Estate and Interest of such Feme Covert in the Premises, as any Fine or Fines, Recovery or Recoveries, would or could do, if levied or suffered thereof in due Form of Law; and further, that all Bargains and Sales whatsoever to be made of any such Houses, Buildings, Lands, Tenements and Hereditaments, as shall be purchased by the said Directors or their Successors, by virtue and for the Purposes of this Act, and inrolled as aforesaid, shall have the like Force, Effect, and Operation in Law, to all Intents and Purposes, as any Fine or Fines, Recovery or Recoveries whatsoever would have had if levied or suffered by the Bargainer or Bargainers, or any Person or Persons seised of or entitled to any Estate or Interest in the Premises, in Trust for such Bargainer or Bargainers in any Manner or Form whatsoever.

Estates purchased to vest absolutely in the Company.

XLVI. And be it further enacted, That immediately upon Payment or Tender of the Sum or Sums of Money so agreed or assessed to be paid to the Party or Parties entitled thereto, or upon depositing the same in the Bank of *England*, in manner by this Act directed; as the Case may be, the several Houses, Buildings, Lands, Tenements and Hereditaments, in respect whereof the same shall have been so paid, tendered or deposited, as aforesaid, shall vest in the Directors of the said Company, in manner and for the Purposes aforesaid, who shall be deemed in Law to be in the actual Possession thereof, to all Intents and Purposes whatsoever, freed and discharged from all former and other Estates, Rights, Titles, Interests, Claims and Demands whatsoever.

Application of Compensation Money where exceeding 200l.

XLVII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Houses, Buildings, Lands, Tenements or Hereditaments, or for any other Matter, Right or Interest, of what Nature or Kind soever, purchased, taken or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any other Disability or Incapacity, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Commercial Dock Company, together with the Names of such Person or Persons as Five or more of the said Directors shall, by Writing signed by them, direct and appoint, to the intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition, to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Houses, Buildings, Lands, Tenements or Hereditaments, in the Purchase of Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the Houses, Buildings, Lands, Tenements or Hereditaments, standing settled to the same or the like Uses, Intents and Purposes; or where such Money shall not be so applied, then the same shall be laid

out and invested under the Direction and Approbation of the said Court, in the Purchase of other Houses, Buildings, Lands, Tenements or Hereditaments, which shall be conveyed and settled to, for and upon such and the like Uses, Trusts, Intents and Purposes, and in the same manner as the Houses, Buildings, Lands, Tenements or Hereditaments, which shall be so purchased, taken or used as aforesaid, stood settled or limited, or such of them as at the time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean time, and until such Purchase shall be made, the said Money shall, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three *per Centum* Consolidated or Three *per Centum* Reduced Bank Annuities; and in the mean time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall, from time to time, be paid by order of the said Court, to the Person or Persons who would for the time being have been entitled to the Rents and Profits of the said Houses, Buildings, Lands, Tenements and Hereditaments so hereby directed to be purchased in case such Purchase or Settlement were made.

XLVIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Houses, Buildings, Lands, Tenements or Hereditaments, or for any other Matter, Right or Interest, of what Nature or Kind soever, purchased, taken or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then, and in all such Cases the same shall at the Option of the Person or Persons for the time being entitled to the Rents and Profits of the Hereditaments and Premises so purchased, taken or used, or of his, her or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General, and to be placed to his Account aforesaid, in order to be applied in manner hereinbefore directed, or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Directors, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Money, and the Dividends arising therefrom, may be applied in any manner hereinbefore directed, so far as the case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

XLIX. Provided always, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned, shall be less than Twenty Pounds, then, and in all such Cases, the same shall be applied to the Use of the Person or Persons who would for the time being have been entitled to the Rents and Profits of the Hereditaments and Premises so purchased, taken or used for the Purposes of this Act, in such manner as the said Directors, or any Five or more of them, shall think fit, or in case of Infancy or

Application
where Compensation Money
does not exceed
200l.

Application
where Money
less than 20l.

Lunacy, then to his, her or their Guardian or Guardians, Committee or Committees, to or for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles, &c.

L. And be it further enacted. That in case such Person or Persons to whom such Sum or Sums of Money shall be awarded as aforesaid, shall not be able to make a good Title to the Premises, to the Satisfaction of the said Directors, or any Five or more of them, or shall refuse to execute such Conveyance or Conveyances; or in case such Person or Persons, to whom such Sum or Sums of Money shall be so awarded as aforesaid, cannot be found, or if the Person or Persons entitled to such Houses, Buildings, Lands, Tenements or Hereditaments, be not known or discovered, then, and in every such Case, it shall be lawful for the said Directors, or any Five or more of them, to order the said Sum or Sums of Money assessed and awarded for any such Purchase, or in recompence for any Damage as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Houses, Buildings, Lands, Tenements or Hereditaments, (describing them) subject to the Order, Controul and Disposition of the said Court; which said Court, upon the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be, and is hereby empowered, in a summary way of Proceeding, or otherwise as to the said Court shall seem meet, to order the same to be laid out and invested in the Publick Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates, Title or Interest of the Person or Persons making Claim thereto, and to make such Order in the Premises as to the said Court shall seem just and reasonable: and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for the same, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any Question shall arise touching Title to Money to be paid, Person in Possession deemed intitled.

L.I. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements or Hereditaments, or any Estate, Right or Interest, in any Lands, Tenements or Hereditaments, to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Dividends and Interest of the said Bank Annuities, to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that

some

some other Person or Persons was or were lawfully entitled to such Lands, Tenements or Hereditaments, or to some Estate or Interest therein.

ELI. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation entitled to any Houses, Buildings, Lands, Tenements or Hereditaments, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Houses, Buildings, Lands, Tenements or Hereditaments, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from time to time to be made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Company, who shall from time to time pay such Sums of Money for such Purposes as the said Court shall direct.

Court may order reasonable Expences of Purchasers to be paid by Company.

LIII. And be it further enacted, That every Tenant at Will, or Lessee for a Year, or any other Person or Persons in Possession of any such Houses, Buildings, Lands, Tenements and Hereditaments, or any Part thereof, which shall be purchased by virtue of this Act, and who shall have no greater Interest in the said Lands and Premises than as Tenants at Will, or Lessee for a Year, or from Year to Year, shall deliver up the Possession of such Premises to the said Directors, or any Five or more of them, or to such Person or Persons as the said Directors, or any Five or more of them, shall appoint to take Possession of the same, having Six Calendar Months Notice to quit such Possession from the said Directors, or any Five or more of them, or from the Person or Persons authorized by them; and such Person or Persons shall, at the End of the said Six Calendar Months, (whether such Notice be given with Reference to the Time or Times of such Tenants holding or not,) or so soon after as he, she or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Directors, or any Five or more of them, or to the Person or Persons authorized to take Possession thereof; and that in case any such Person or Persons so in Possession as aforesaid shall refuse to give such Possession as aforesaid, it shall be lawful for the said Directors to issue their Precept or Precepts to the Sheriff or Sheriffs of the County or City wherein the said Premises shall or may be situated, to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same, and the said Sheriff or Sheriffs is and are hereby required to deliver such Possession accordingly, and to levy such Costs as shall accrue from the issuing and Execution of such Precept or Precepts on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her or their Goods.

Tenants at Will to deliver Possession on Six Months Notice.

LIV. Provided always, and be it further enacted, That in case any Person or Persons who shall be a Tenant or Tenants at Will, or a Lessee or Lessees of any such Houses, Buildings, Lands, Tenements or Hereditaments, or any Part thereof as aforesaid, shall be required to give up his, her or their Right or Interest in the same, before the Expiration of the Term he, she or they shall have therein, then, and in such Case, the said Company shall, and they are hereby required

In case Tenants at Will or Lessees of Houses or Lands required to give up their Interest therein, Company to make Compensation.

required to make Satisfaction and Compensation for such Right or Interest so given up. And in case the said Tenant or Tenants, Lessee or Lessees, and the said Company cannot agree as to the Amount of such Satisfaction and Compensation as aforesaid, then the same shall be inquired into, and ascertained by a Jury, in manner hereinbefore mentioned and directed with respect to the disputed Value of Premises wanted for the Purposes of this Act.

Mortgagees on
Tender of Prin-
cipal and Interest
to convey.

LV. And be it further enacted, That all and every Person or Persons who shall have any Mortgage or Mortgages on such Houses, Buildings, Lands and Hereditaments, not being in Possession thereof by virtue of such Mortgage or Mortgages, shall, on Tender of the principal Money and Interest due thereon, together with the Amount of Six Calendar Months Interest on the said Principal by the said Directors, or any Five or more of them, or by such Person or Persons as they shall appoint, immediately convey, assign and transfer such Mortgage or Mortgages to the said Directors, or any Five or more of them, or to such Person or Persons as they shall appoint, or in case such Mortgagee or Mortgagees shall have Notice, in Writing, from the said Directors, or any Five or more of them, or from such Person or Persons as they shall appoint, that they will pay and discharge the said principal Money and Interest which shall be due on the said Mortgage or Mortgages, at the End or Expiration of Six Calendar Months, to be computed from the Day of giving such Notice, that then at the End of the said Six Calendar Months, on Payment of the Principal and Interest so due, such Mortgagee or Mortgagees shall convey, assign and transfer his, her or their Interest in the said Premises to the said Directors, or any Five or more of them, or to such Person or Persons as shall be appointed in Trust for them; and in case such Mortgagee or Mortgagees shall refuse to convey and assign as aforesaid on such Tender or Payment, that then all Interest on every such Mortgage shall from thenceforth cease and determine.

Company not to
pay Mortgagees
more than real
Value of Pre-
mises.

LVI. Provided always, and be it further enacted, That in case the Sum due upon such Mortgage or Mortgages, with all Interest due thereon, shall amount to more than the real Value of the Premises, to be ascertained as directed by this Act, then the said Company shall not be liable to pay the Mortgagee or Mortgagees more than such real value of such Premises so ascertained as aforesaid, and on Payment or Tender thereof the said Directors, or any Five or more of them, or such Persons as shall be by them appointed, shall be entitled to the Right and Interest of such Mortgages respectively.

Upon Payment
of Principal and
Interest into the
Bank,
Premises to vest
in Company.

LVII. And be it further enacted, That upon Payment of the principal Money and Interest due on any Mortgage or Mortgages as aforesaid into the Bank of *England*, at the End of Three Calendar Months, from the Day of giving such Notice as aforesaid, for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give a Receipt or Receipts for the said Money, in like manner as is hereinbefore directed in Cases of other Payments into the Bank, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim and Demand of the said Mortgagee or Mortgagees, and of all and every Person and Persons in Trust for him, her or them, shall vest in the said Directors or the said Company, and they shall be deemed to be in the actual Possession of the Premises

Premises comprised in such Mortgage or Mortgages, to all Intents and Purposes whatsoever.

LVIII. Provided always, That nothing in this Act contained shall extend, or be deemed or construed to extend to authorise and empower the said Company to take more than Three Quarters of an Acre of a certain Field belonging to *Edward George Barnard*, situate in the said Parish of *Saint Mary Rotherhithe*, and near or adjoining to the Dock-yard there, the said Three Quarters of an Acre to be taken at the West End of the said Field, and to be set off in such way, that the extreme Breadth of the South End thereof, measured along the Ditch which divides the said Field from the Road, shall not exceed Eighty Feet, and that the Boundary from North to South shall be in a straight Line.

Company not to take more than Three Quarters of an Acre of a Field belonging to E.G. Barnard.

LIX. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to authorise the said Company or their Workmen in making any Entrance or Entrances from the River *Thames* to their said Dock or Docks, to come within the Distance of Two hundred Feet from the Houses and Land now belonging to and in the Occupation of *Susannah Northcote* and *William Northcote*, bounded by the said River *Thames* on the North, and intermixed with, and bounded by Premises belonging to Lord *Carteret* and others on the East, South and West Sides, unless the said Company shall have previously purchased the said Houses and Lands, and paid the Purchase Money for the same.

Entrances from the Thames not to be within 200 Feet of certain Premises.

LX. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to injure, or in any wise affect the Right of the Company of Proprietors of the *Croydon Canal* to make and erect a Basin, Wharfs, Warehouses, and other Conveniences for the Use of the Trade of the *Croydon Canal*, on the East Side of the *Grand Surrey Canal*, and on the South Side of the Dock or Basin belonging to the *Grand Surrey Canal Company*, at *Rotherhithe* aforesaid, or in any other respect to abridge or affect the Powers contained in an Act passed in the Forty first Year of the Reign of His present Majesty, intituled, *An Act for making and maintaining a navigable Canal from or near the Town of Croydon in the County of Surrey, into the Grand Surrey Canal in the Parish of Saint Paul, Deptford, in the County of Surrey, and for supplying the Towns of Croydon, Streatham and Dulwich, and the District called Norwood, in the Parish of Croydon, in the said County of Surrey, and the Town of Sydenham, in the County of Kent, with Water from the said Canal*: Provided nevertheless, that the Land to be made use of for the said Basin, Wharfs, Warehouses, and other Conveniences, so to be made and erected by the Company of Proprietors of the *Croydon Canal*, shall not exceed One Acre and an Half, and that the extreme Depth thereof, from the *Grand Surrey Canal* Eastward, shall not exceed One hundred and ninety Feet, nor the Average Depth One hundred and sixty five Feet, and that the Northern Extremity of the said Basin shall not be formed at a greater Distance than One hundred Yards from the Basin of the *Grand Surrey Canal*.

Proviso for saving Rights of Proprietors of the Croydon Canal.

41 G. 3. (U.K.) c. xxxi.

LXI. Provided always, and be it further enacted, That nothing in this Act contained shall extend to prejudice or affect any of the Rights or Privileges of the Company of Proprietors of the *Grand Surrey Canal*, granted to them by an Act passed in the Forty first Year

Proviso for Privileges of Grand Surrey Canal Company, 41 G. 3. (U.K.) c. xxxi.

47 G. 3. Sess. 2.
c. lxxx.

48 G. 3. c. xcii.

Proviso for
Thames Archway
Company.

45 G. 3. c. cxvii.

Power to sell
Land not wanted
for the Purposes
of this Act.

Year of His Majesty's Reign, intituled, *An Act for making and maintaining a Navigable Canal from the River Thames, at or near a Place called Wilkinson's Gun Wharf, in the Parish of Saint Mary at Rotherhithe, in the County of Surrey, to the Town of Mitcham, in the said County, and also divers collateral Cuts or Branches communicating from the same to certain Parishes and Places within the Counties of Surrey and Kent*; and also by another passed in the Forty seventh Year of the Reign of His present Majesty, intituled, *An Act for better enabling the Company of Proprietors of the Grand Surrey Canal to complete the same*; and also by another Act passed in the Forty eighth Year of the Reign of His present Majesty, intituled, *An Act to enable the Company of Proprietors of the Grand Surrey Canal, to supply with Water the several Towns, Districts and Places therein mentioned, and to amend the several Acts relating to the said Canal*.

LXII. Provided also, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to injure or prejudice the Rights or Powers of the *Thames Archway Company*, established by an Act of Parliament made and passed in the Forty fifth Year of the Reign of His present Majesty, intituled, *An Act for making and maintaining an Archway or Archways under the River Thames, from the Parish of Rotherhithe, in the County of Surrey, to the opposite Side of the said River, in the County of Middlesex*.

LXIII. And whereas, in pursuance of the Provisions of this Act, and to avoid Disputes with the Owners of Lands, Grounds and Hereditaments, which may be affected by the making of the said Docks and other Works, the said Company may purchase Lands, Buildings and other Hereditaments not necessary to be made use of for the Purposes of this Act; Be it therefore further enacted, That it shall be lawful for the said Company by Indenture, to grant and convey by way of absolute Sale for a Consideration in Money, such Part or Parts of the Lands or Buildings which shall be so purchased by, and conveyed to them as aforesaid, as shall not be wanted for the Purposes of this Act, and the Conveyances from the said Company shall be valid and effectual; any thing in this Act contained, or any other Law, Statute or Custom to the contrary thereof in any wise notwithstanding; and that upon Payment of the Money which shall arise by Sale or Sales of such Lands, Buildings or other Hereditaments, it shall be lawful for the Treasurer or Treasurers for the time being to the said Company to sign and give Receipts for the Money for which the same shall be sold, which Receipt shall be sufficient Discharges to any Person or Persons for the Purchase Money, for which such Lands, Buildings or Hereditaments shall be so sold, or for so much thereof as in such Receipts shall be acknowledged or expressed to be received; and such Person or Persons shall not afterwards be answerable or accountable for any Loss, Misapplication or Non-application of such Purchase Money, or any Part thereof: Provided always, that the said Company, before they shall sell and dispose of such Lands, Buildings or Hereditaments, shall first offer to resell the same to the Person or Persons from whom they shall have purchased the same, or who would have been then entitled thereto, in case such Lands, Buildings or Hereditaments had not been purchased by the said Company, the Price at which the same shall be resold,

refold, being adjusted and settled by a Jury, in like manner as the Price for any Land to be taken in pursuance of this Act is hereinbefore directed to be settled in case of Difference or Dispute as to the Value thereof, and if such Person or Persons shall not agree, or shall refuse to repurchase the same, it shall be lawful for any Person or Persons not interested in the Premises, to make an Affidavit, to be sworn before a Master or Master Extraordinary in the High Court of Chancery, or before one of His Majesty's Justices of the Peace for the said County of *Surrey*, stating that such Offer was made by or on behalf of the said Company, and that such Person or Persons did not agree, or refused to purchase such Lands, Buildings or other Hereditaments, as the case may be, and such Affidavit shall, in all Courts, be sufficient Evidence and Proof that such Offer was made, and was not agreed to or refused.

LXIV. And be it further enacted, That all and every Person and Persons who shall give false Evidence in any Examination to be taken by virtue of this Act, or where any Oath is required, shall swear falsely, or being a *Quaker* shall falsely affirm, shall be subject to such Penalties and Disqualifications as Persons guilty of wilful and corrupt Perjury.

LXV. Provided always, and it is hereby enacted, That it shall not be lawful for the said Company to demand and take, and they are hereby restrained from demanding and taking any greater Sums of Money for the Dockage of Ships and Vessels, and for the receiving, warehousing and storing of Timber, Wood and other Merchandize, than are mentioned and specified in the Schedule (marked B.) hereunto annexed; nor shall it be lawful for them to demand, or take for any other Advantage or Accommodation, Matter or Thing not therein specified to be afforded to, or done for or in respect of any Ships or Vessels which shall go into or out of the said Docks, Basins or Ponds, or any of them, for or in respect of any Timber, Wood or other Merchandize, which shall be received, warehoused or stored therein or thereupon, or in or upon any of the Premises belonging to the said Commercial Dock Company, any greater Sum of Money than within Twelve Months next before the passing of this Act shall have been usually charged for the same or the like Accommodation, Advantage, Matter or Thing within such Part of the Port of *London* as is situate between *Westminster Bridge* and *Greenwich Hospital*.

Company not to take more Rates for Dockage and storing than mentioned in Schedule (B.)

LXVI. And be it further enacted, That the said Commercial Dock Company shall have full Power and Authority, by their Servants, Agents and Workmen, to build proper Premises on the said River, within the Limits aforesaid, for the Entrance of Ships into or out of the said Docks, so that the said Premises do not project more than Ten Feet from the present Line of Wharfage, so as to do no Injury to the Navigation of the said River: and also to enter on and deepen and scour out the Beach and Bed of the River *Thames*, and for ever after maintaining and preserving the said Premises, and the Depth so made from the Docks or other Works, at the Entrance or Entrances from the River to the said Docks, so as to admit Vessels navigating or entering into the said Docks, Basins and Premises from the said River *Thames*, with the same, or a greater Depth of Water than is on the Sills of the Docks or Entrances to the said Docks.

Power to make Entrances and deepen Bed of the River to admit Ships, &c.

LXVII. And

Power to make
Sluices.

LXVII. And be it further enacted, That the said Company shall and may likewise cause to be made and provided, such Sluices, Bridges, Roads and other Works, Requisites, Matters and Things, on, in and leading to, or communicating with the said Docks, or either of them, and other Works, as they shall from time to time judge necessary for the more convenient Use thereof, and of the Wharfs and other Works appertaining thereto; and the said Company shall, from time to time, out of the Monies to be received from the said Proprietors, or by virtue of this Act, and at all times and hereafter well and sufficiently repair, amend, support and cleanse the said Docks, and the Quays or Wharfs, Cuts, and all other the Works, Roads, Matters and Things, by them already made, or to be made, built and provided, by virtue of this Act.

Empowered to
bring Actions,
and prefer In-
dictments.

LXVIII. And be it further enacted, That the Messuages, Lands, Tenements and Hereditaments, already belonging to the said Company, or to be purchased by virtue of this Act, and all Buildings, Erections and other Matters and Things thereon and thereunto belonging, and also all Basons or Docks, Cuts, Quays, Wharfs, Works, Buildings and requisite Roads, Ways, Sluices, Drains, Matters and Things which shall be made, built, provided or established, by virtue or in pursuance of this Act, shall be, and the same are hereby vested in the said Company and their Successors; and they and their Successors are hereby authorized and empowered to commence and defend all Actions and Suits wherein they are or shall be concerned or interested, by and in the Name of the Treasurer of the said Company for the time being, and also to prefer any Indictment or Indictments, Information or Informations, against any Person or Persons for any Offence committed against the said Company, in any Matter or Thing relating to the said Company, or as to any Goods, Chattels or Property of or belonging to the said Company, either as to their Docks, Wharfs, Waterworks or any Part of their Premises, or otherwise, or in relation to any Ship, Vessels, Goods, Chattels or Property in their Custody; and the Name of such Treasurer shall and may be used in all such Actions, Suits, Indictments and Informations, and in all other legal Proceedings, as to any such Matters, Things, Goods, Chattels or Property as and for the said Company; and the Death of such Treasurer, or the Resignation or other Act of any such Treasurer, shall not abate any such Suit or Information.

Indictment for
Property of Per-
sons using Docks,
in Name of Com-
pany.

LXIX. And be it further enacted, That from and after the passing of this Act, it shall be lawful for the said Commercial Dock Company, and they are hereby empowered to prefer any Indictment or Indictments against any Person or Persons feloniously taking, stealing or embezzling any Goods, Chattels or Property of, or belonging to the said Company, or any Goods, Chattels or Property in their Custody or Possession, or in the Custody or Possession of any Officer or Servant of the said Company, or Officer of Customs or Excise, for or on behalf of the said Company, or of any other Person having deposited such Goods, Chattels or Property, in the Care or Custody of the said Company, or their Officers or Servants, or in or on any of the Docks, Wharfs, Warehouses or Premises belonging to the said Company, and in all such Indictments, such Goods, Chattels and Property may be laid and stated to be the Goods, Chattels and Property of the said Commercial Dock Company, and that the same were feloniously stolen or embezzled from the said Com-
mercial

merical Dock Company; and it shall be sufficient, on any such Indictment, to prove that such Goods, Chattels and Property, were, at the time of the feloniously taking or stealing, or embezzling thereof, in or on any of the Docks, Wharfs, Warehouses or Premises, belonging to the said Company, or in the Custody or Possession of any Officer or Servant of the said Company, or Officer of Customs or Excise, for or on behalf of the said Company, or of any Person or Persons, or Body Corporate or Politick, having deposited the same with the said Company, without any other Proof of Property.

LXX. And be it further enacted, That if any Person or Persons shall steal, take away, break, demolish or throw down, any Lamp or Lamps, Lamp Irons or Posts, which the said Company shall or may set up near unto and about the said Dock or Docks, and other Works, or any of the Premises belonging to the said Company, or shall wilfully extinguish the Light within the same Lamp or Lamps, or damage the Iron or other Furniture thereof, it shall be lawful for any Person or Persons who shall see such Offence committed, and also for any other Person to assist when called upon, to arrest the Offender or Offenders, by Authority of this Act, and without any other Warrant to convey him, her or them, into the Custody of a Peace Officer in order to be conveyed before a Justice or Justices of the Peace for the County of Surrey, and that such Justice or Justices shall proceed to examine upon Oath, any Witness or Witnesses, who shall appear to give any Information touching such Offence, (which Oath the said Justice or Justices is or are hereby authorized and required to administer) and that if the Party or Parties accused shall be convicted of such Offence, either by Confession, or by the Testimony of any credible Witness or Witnesses as aforesaid, he, she or they shall forfeit and pay any Sum not exceeding Forty Shillings for each Lamp, Lamp Iron or Post, or other Furniture, so broke, thrown down or damaged, or for every Light extinguished; and moreover shall make full Satisfaction to the said Managers, and to such Person as they shall appoint to receive the same for the Damage so done; and that in case such Offender or Offenders shall not, on Conviction, pay the Forfeiture assessed, and make Satisfaction as aforesaid, such Justice or Justices is or are hereby required to commit him, her or them to the House of Correction, for any time not exceeding One Calendar Month.

Breaking Lamps,
&c.

Penalty.

Punishment.

LXXI. And be it further enacted, That it shall and may be lawful for the said Directors, or any Five or more of them, and they are hereby authorized and required, from time to time, as Occasion shall require, to nominate and appoint a proper Person or Persons to be Dock-master or Dock-masters, and to remove, suspend or dismiss the same, which said Dock-master or Dock-masters shall have full Power and Authority to direct the mooring, unmooring, moving and removing of all Ships and Vessels, Lighters and Craft, entering into, lying or being in the said Dock or Docks, or either of them, either as to the time or times and manner of their Entrance into, lying in or going out of the same, and their Position, loading and discharging therein, and the time or times of opening or shutting the several Gates thereof; and in case the Owner, Master, Pilot, Servant or other Person having the Care of any Ship or Vessel, shall refuse or neglect to moor, unmoor, move or remove the same to such Direction, within Two Hours after Notice to him or them given in Writing,

To appoint a
Dock Master,

Authority, &c. of
Dock Master.

Owner, &c., dis-
obeying, as to
Mooring &c.

Penalty.

Obstructing
Mooring, &c.

Penalty.

Ships not to lay
within the
Distance of 100
Yards from the
Entrance.

Vessels obstruct-
ing Entrance.

Penalty.

Entrances deep-
ened, &c.

Obstruction re-
moved.

Writing, or left with some Person or Persons on board the said Ship or Vessel for that Purpose, then that it shall be lawful for the said Dock-master or Dock-masters, or his or their Assistants, and he and they is and are hereby required to moor, unmoor, move or remove such Ship or Vessel, and the Charges and Expences thereof respectively shall be repaid, together with the Sum of Ten Pounds for each Offence, by the Master or Owner of such Ship or Vessel, and may be recovered by the said Company of the Owner of such Ship or Vessel, in case of Non-payment thereof on Demand, by such ways and means as Penalties and Forfeitures are by this Act to be recovered; and in case any such Master, Commander, Mate, Pilot or other Person or Persons whomsoever, shall obstruct or hinder the mooring, unmooring, moving or removing of any Ship or Vessel, such Person or Persons shall, for every such Offence, forfeit the Sum of Ten Pounds, to be recovered and applied as hereinafter declared.

LXXII. Provided always, and be it further enacted, That no Ship or Vessel or Vessels shall be moored or anchored within the Distance of One hundred Yards of the Entrances of the said Docks, so that at all times the Entrance may be kept clear, and without Obstruction; and over this Space the Dock-master shall have Control, so far as relates to the transporting Ships and Vessels coming in or going out of the Dock; any Law, Statute or Usage to the contrary notwithstanding: Provided always, that nothing in this Act contained shall extend to prohibit any Ship or Vessel laying at or alongside any adjoining Wharf in such manner as by Law before the passing of this Act such Ship or Vessel might have done.

LXXIII. And, for the better making and preserving a free and clear Passage and Entrance from the River *Thames* into and out of the said Docks for all Ships, Vessels, Lighters, Barges and Boats of every Description, Be it further enacted, That no Ship, Vessel, Lighter, Barge, Craft or Boat of any Description whatsoever, shall be moored or anchored across, in, or any way obstruct any of the Entrances or Passages into or from any of the said Docks, Basins or Cuts, except only such Ships, Vessels, Lighters, Barges, Craft and Boats of whatsoever Description, as shall have come out of, or are intended to go into the said Docks, under the Penalty of any Sum not exceeding Five Pounds for every such Offence.

LXXIV. And be it further enacted, That it shall and may be lawful to and for the said Directors, or any Five or more of them, their Agents, Servants or Workmen, as often as Occasion shall require, well and sufficiently to cleanse, scour, open, deepen, widen or cut through, and take away any Banks, Hills, Earth, Soil or Rubbish, in the said Docks, Works and Entrances already made, or intended to be made, in such manner as the said Directors, or any Five or more of them, shall think proper, for the Security, Entrance and Accommodation of Shipping in the same; and also to remove and take away any Wrecks of Ships or Vessels, or any Ship or Vessel that shall be sunk therein, or any Wood, Timber, Anchors or other Obstructions or other Impediments of the like Nature that may be found or arise therein; and in case the Owner or Owners of any such Ship or Vessel, or other Obstructions so to be removed, shall refuse or neglect to pay the Charge of removing the same, for the Space of Seven Days after Demand thereof, made by any Officer of the said Company, then the Owner or Owners of any such Wrecks of Ships

Ships or Vessels, or any Ship or Vessel that shall be sunk therein, or any Wood, Timber, Anchors or other Obstructions or Impediments of the like Nature, shall, for every such Offence, forfeit to the said Company (exclusive of the Expences incurred by removing the same) any Sum not exceeding Ten Pounds, and the same shall be recovered and applied in such manner as other Penalties and Forfeitures are by this Act directed to be recovered and applied. Penalty.

LXXV. And be it further enacted, That in case any Person or Persons whomsoever shall wilfully or maliciously cut, break, or in any manner destroy any Rope or other Thing, by which any Ship or Vessel, lying in the said Dock or Docks, Basin or Basins or Cuts, shall be moored or fastened, such Person or Persons shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds. Cutting Ropes, &c.
Penalty.

LXXVI. And, for preventing Accidents by Fire in the said Docks or Basins or Cuts or other Works, Be it further enacted, That no Person whomsoever shall have or keep, or cause to be had or kept, any Fire, Candle or Lamp, lighted on board any Ship or other Vessel within the same, at any time or times whatsoever, between the Twenty ninth Day of *September* and the Twenty fifth Day of *March* in every Year, after the Hour of Seven in the Evening, or before the Hour of Seven in the Morning, nor at any time or times whatsoever between the Twenty fifth Day of *March* and the Twenty ninth Day of *September* in every Year, after the Hour of Eight in the Evening, or before the Hour of Five in the Morning, upon the Pain of forfeiting for every Offence a Sum not exceeding Five Pounds. Accidents by Fire.
Penalty.

LXXVII. And be it further enacted, That no Pitch, Tar, Rosin, Turpentine, Oil, or other combustible Matter, shall at any time hereafter be boiled or heated on board any Ship or other Vessel, Lighter, Craft or Boat, lying in the said Dock or Docks, Basin or Basins, or Cuts or other Works, or any of them, nor in any Place or Places within the said Dock, Premises or Cuts, except in such Place or Places, and in such Manner as shall be appointed by the said Directors, or any Five or more of them for that Purpose; nor shall any Gunpowder or loaded Cannon whatever be brought into the said Docks, Basins or Cuts, or suffered to remain on board any Ship or any other Vessel, upon Pain that every such Master, Commander or Owner of every Ship or Vessel so offending in Manner as aforesaid, shall forfeit for every such Offence any Sum not exceeding Five Pounds. To prevent Fire.
Penalty.

LXXVIII. And be it further enacted, That the Master or Owner of every Ship, Boat, Barge, Lighter or other Vessel, shall be, and is hereby made answerable for any Damage, Spoil or Mischief, that shall be done by any Ship, Boat, Barge, Lighter or other Vessel, or any of the Boatmen, Watermen or others, belonging to, employed in or about the same, unto the Docks, Basins, Cuts, or unto any of the Bridges, Locks, Dams, Engines or other Works, in, upon or belonging to the said Docks, Cuts and Basins, or any of them, or any of the Trenches, Sluices and Passages, to be made as aforesaid, or by loading or unloading any Ship, Boat, Barge, Lighter or other Vessel, or for any Trespass or Damage that shall or may be done to the Owners or Occupiers of any Buildings, Erections, Mills, Dams, Gauges, Weirs, Lands or Tenements, adjoining Masters and Owners of Ships answerable for Damage.

joining or lying near the same, or any of them, by leaving open the Gates or otherwise, or for any other Trespass whatsoever, and the said Master or Owner of any such Ship, Boat, Barge, Lighter or other Vessel, may be sued and prosecuted for the same in any Court of Record; and if a Verdict or Judgment shall be given against him, either on Proof made, or by Default, or upon Demurrer, the Plaintiff in such case shall recover his Damages thereby sustained, with full Costs of Suit; and in case the Master or Owner of any such Ship, Boat, Lighter or other Vessel as aforesaid, shall be compelled to pay any Penalty, or to make Satisfaction for any Damage or Trespass, by reason of any wilful Act or Default done or committed by his Servant or Servants, every such Servant or Servants shall be liable to pay such Penalty, or the Money paid for any such Damage or Trespass, to such Master or Owner; and in case of Non-payment thereof on Demand, the same shall be recovered by such Master or Owner, in like manner as any Penalty is hereinafter directed to be recovered.

Satisfaction for
Tithes:

LXXIX. And be it further enacted, That full Recompence, Satisfaction and Compensation, shall be made by the said Company, for all the Tithes, both great and small, of the Lands which shall or may be taken or made use of by the said Company, for the Purposes and in pursuance of the Powers of this Act, to the respective Persons entitled, or who would have been entitled to such Tithes, in case such Lands had not been so taken or made use of, according to their respective Interests therein, such Tithes to be estimated at the average Value of Three Years, commencing at the Twenty fifth Day of *March* One thousand eight hundred and six, such average Value to be ascertained, in case of any Difference concerning the same, in like manner as the Value of the Lands, Tenements or other Hereditaments, are heretofore directed to be ascertained: Provided always, that the Recompence and Satisfaction to be given by virtue of this Act, for all Glebe Lands and Tithes belonging to spiritual Persons, shall be made to such Persons by an Annual Rent.

Proviso for Lon-
don, West and
East India Docks.
89 G. 3. c. lxix.

89 & 40 G. 3.
c. xlvii.

43 G. 3. c. cxxvi.

Proviso for
Trinity House.

LXXX. Provided also, and it is hereby enacted and declared, That nothing in this present Act contained shall extend, or be construed to extend, to prejudice or affect any of the Rights of the *West India Dock Company*, established by an Act made in the Thirty ninth Year of His present Majesty's Reign, intituled, *An Act for rendering more commodious and better regulating the Port of London*, or of the *London Dock Company*, established by an Act made in the Thirty ninth and Fortieth Year of His present Majesty, intituled, *An Act for making Wet Docks, Basins, Cuts, and other Works, for the greater Accommodation and Security of Shipping, Commerce and Revenue, within the Port of London*; or of the *East India Dock Company*, established by an Act made in the Forty third Year of His present Majesty's Reign, intituled, *An Act for the further Improvement of the Port of London, by making Docks and other Works at Blackwall, for the Accommodation of the East India Shipping in the said Port*.

LXXXI. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to prejudice or derogate from any of the Rights or Privileges of the Master, Warden and Assistants of the Trinity House, *Drapers' Street*.

LXXXII. Provided

LXXXII. Provided also, and it is hereby enacted and declared, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Estates, Rights, Interests, Privileges, Franchises or Authority of the King's Majesty, his Heirs or Successors, or of the Mayor and Commonalty of the Citizens of the City of *London*, their Successors, or the Lord Mayor of the said City for the time being, or to prohibit, defeat, alter or diminish any Power, Authority or Jurisdiction, which at the time of making this Act His Majesty, or the Mayor and Commonalty and Citizens of the City of *London*, or the Lord Mayor of the said City for the time being, as Conservator of the River of *Thames* and Waters of *Medway*, did or might lawfully claim, use or exercise; and further, that it shall be lawful for the Lord Mayor of the said City for the time being, in like manner as he hath used to do in other Cases, to inquire of, hear and determine, by Presentment or Indictment, taken before him as Conservator of the said River and Waters, all Offences contrary to this Act, or such Bye-Laws, Rules, Orders and Regulations as shall be made as aforesaid, and upon Conviction of the Offender or Offenders, to impose a Penalty or Penalties on him, her or them, not exceeding the Penalty or Penalties hereby inflicted, or which shall be inflicted in and by the said Bye-Laws, Rules, Orders and Regulations, for such Offence or Offences; but no Person shall be punished Twice for one and the same Offence.

Proviso for the Rights of His Majesty and Corporation of *London*.

Penalties.

LXXXIII. Provided also, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to prevent or hinder the Mayor and Commonalty and Citizens of the City of *London*, or their Deputies, Meters and Fellowship Porters, (otherwise *Billinggate* Porters) from exercising and enjoying within the said Wet Docks, and other Works already made, or to be made by virtue of this Act, the Right of Measurage and Portorage of all Coals, Corn, Grain and Seed of what Kind soever, and of Salt, and Fruit, and of all other Merchandizes measurable, or to be measured, at the Rates and Prices as regulated and settled, or to be regulated and settled, by the Lord Mayor, Aldermen and Commons of the City of *London*, in Common Council assembled, in such and the same manner in every respect as they now and heretofore have enjoyed such Right of Measurage and Portorage in any Part of the Port of *London*.

Proviso for Rights of Fellowship Porters, &c.

LXXXIV. Provided also, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to prohibit, defeat, alter or diminish any Power, Authority or Jurisdiction which at the time of making this Act the Mayor, or Commonalty or Citizens of the City of *London*, or the Lord Mayor of the said City for the time being, or his Deputy to the Exercise of gauging all Wines, Oil, Honey, and other gaugable Merchandize, imported, or brought into the said Wet Docks already made or to be made by virtue of this Act, by the River of *Thames*, or to be exported therefrom, nor to prejudice or derogate from any other the Rights, Privileges, Liberties, Tolls, Customs, Dues, Duties and Commodities of the said Mayor, Commonalty and Citizens of the City of *London*, but that the said Mayor for the time being, or his Deputy, shall exercise and enjoy the Rights of gauging within the said Wet Docks already made, or to be made, as aforesaid, and upon

Reserving Power of gauging Wines and other Articles in said Docks to City of *London*.

the Banks, Wharfs, Quays and in the Warehouses thereto belonging, as fully and effectually to all Intents and Purposes as the said Mayor and Commonalty and Citizens of *London* are entitled to have, exercise and enjoy the same within the City of *London*, or the Port of the same, and as if the said Docks were actually situate within and Part of the City of *London*.

Fines to be
levied.

LXXXV. And be it further enacted, That all Fines, Penalties and Forfeitures, inflicted by this Act, or by any Rule or Bye-Law which shall hereafter be made in pursuance of this Act, may be levied and recovered within Six Months after the Offence or Offences committed, before any Justice or Justices of the Peace for the County of *Surrey*, and such Justice or Justices is and are hereby empowered and required, upon Complaint to him or them made, to grant a Warrant to bring before him or them such Offender or Offenders at the Time and Place in such Warrant specified; and in case of Non-payment thereof, on Conviction of the Offenders respectively, on his, her or their Confession, or on the Evidence of any One or more credible Witness or Witnesses examined on Oath, (which Oath the said Justice or Justices is and are hereby required and empowered to administer) shall be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal, or Hands and Seals of such Justice or Justices; and all Fines and Forfeitures, when recovered, go and be applied, one Half to him who will sue or inform, and the other Half to the Use of the said Company, to be paid into the Hands of their Treasurer; and for Want of sufficient Distress, and in case the Fine, Penalty or Forfeiture, shall not be forthwith paid, it shall be lawful for such Justice or Justices, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit every such Offender to the Common Gaol or House of Correction, there to remain without Bail or Mainprize, for any time not exceeding Three Calendar Months, unless such Fine, Penalty or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid.

How applied.

Defect of Form
in Distress not
to vitiate Dis-
tress.

LXXXVI. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, any Sum or Sums due, or to become due to the said Company for Rent or other Dues, the Distress of itself shall not be deemed unlawful, nor shall the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect or Want of Form in Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity, shall and may recover full Satisfaction for the special Damage, in an Action upon the Case.

Form of Con-
viction

LXXXVII. And, for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up according to the following Form, (*videlicet*,)

‘ **BE** it remembered, That on the _____ Day of _____
in the Year of our Lord
‘ *A. B.* is convicted before me *C. D.* One
‘ of _____

of His Majesty's Justices of the Peace for the County of
*(specifying the Offence, and the Time and Place, as
 the case may be)* contrary to an Act of Parlia-
 ment, passed in the Fiftieth Year of the Reign of King George
 the Third, intituled,
 Given under my Hand and Seal, the Day and Year first men-
 tioned.'

LXXXVIII. And be it further enacted, That for the Purposes of this Act, the said Company, their Deputies, Agents, Officers and Workmen, are hereby authorized and empowered, from and immediately after the passing of this Act, to enter upon any Lands and Grounds whatsoever, for the Purpose of surveying, taking and levelling of, and marking out the Ground and Premises intended to be made use of for the Purpose of making the said Dock or Docks; they, the said Company, their Deputies, Agents, Officers and Workmen, doing as little Damage as may be, and giving Three Days Notice in Writing, signed by their Clerk, to the Occupier or Occupiers of such Lands, Tenements, Houses, Buildings, Grounds or Hereditaments, and making Satisfaction for all Damage that shall be done.

Power to enter
into Lands, &c.

LXXXIX. Provided always, and be it further enacted, That the said Company shall and may make the said Dock or Docks, and the Roads and Bridges connected therewith, and take Possession, for the Purposes of this Act, of any of the Houses, Buildings, Lands, Tenements and Hereditaments, mentioned and described in the Schedule to this Act annexed, notwithstanding the Name or Names of any Person or Persons shall or may have been omitted or improperly mentioned or spelled in the said Schedule, in case it shall appear to any Two or more Justices of the Peace for the said County, and be certified by Writing under their Hands, that such Error or improper Description proceeded from Mistake.

Error in Schedule
not to affect the
Power to pur-
chase.

XC. And be it further enacted, That if any Person or Persons shall knowingly, wilfully or maliciously demolish, break down, cut down or destroy any of the Works to be made by virtue of this Act, or any Ship or Vessel lying in the said Docks, Cuts, Basin or Basins, then every such Offender or Offenders, being convicted thereof, shall suffer Punishment, by Fine, Imprisonment or Transportation, not exceeding Seven Years, at the Discretion of the Judge or Judges before whom such Offender or Offenders shall be tried and convicted.

Setting Fire to
Premises.

Punishment.

XCI. Provided always, and be it enacted, That if any Person or Persons, or Body or Bodies Politick, Corporate or Collegiate, shall be applied to by or on the behalf of the said Company to treat for, sell, dispose of or convey, for any of the Purposes of this Act, any Part or Parts of any House or Buildings, or any vacant Plot or Parcel of Land, in the actual Occupation of One Person, or of several Persons jointly, and shall, by Notice in Writing, to be left at the House of the Clerk of the said Company, or of the said Directors, within Thirty Days next after such Applications shall be made in Writing, signify his or their Inclination or Desire to treat for, sell, dispose of and convey the Whole of such House or Building, or of any such vacant Plot or Parcel of Lands, some Part whereof shall have been deemed necessary to be purchased for the Purposes of this Act, and it shall happen to be purchased for the Pur-

Persons not com-
pelled to sell Part
of their Premises.

† *Sic.*

processes of this Act, † and it shall happen that the said Company and their said Directors shall not think proper or be willing to purchase the Whole of such House or Building, or of any such Plot or Parcel of Land, then, and in every such Case, nothing in this Act shall extend or be construed to extend so as to compel the respective Person or Persons interested therein, to treat for, sell, dispose of or convey Part only, or less than the Whole; of every such House or Building, with the Offices, Curtilages, Yards and Passages adjoining and belonging thereto, or to sell or dispose of any such vacant Spot or Parcel of Land, any thing herein contained to the contrary thereof in any wise notwithstanding: Provided always, that nothing shall extend or be construed to extend, so as to require or compel the said Company or their Directors, to purchase any more than One Acre of Land from any Person or Persons, or any Body or Bodies Politick, Corporate or Collegiate, so signifying his, her or their Desire not to sell or dispose of a Part or Parts of such his, her or their vacant Plot or Plots, Parcel or Parcels of Land.

Proviso.

Appeal.

XCII. And be it further enacted, That if any Person or Persons shall think himself, herself or themselves aggrieved by any Order or Judgment made or given, in pursuance of any Rule, printed Bye-Law, or Order of the said Company of Proprietors, or by any Order, Judgment or Determination of any Justice or Justices of the Peace, relating to any Matter or thing in this Act mentioned or contained, then, and in that Case; he, she or they may, within Twelve

Recognizance.

Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at the General Quarter-Sessions; to be holden in and for the County in which the Cause of Appeal shall arise, first giving One Calendar Month's Notice of such Appeal to the Person or Persons appealed against, and of the Nature thereof; and, within One Calendar Month after such Notice, entering into a Recognizance before some Justice of the Peace for such County or Place, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order and Award of the said Court therein; and the said Justices shall, upon due Proof of such Notice and Recognizance having been given and entered, either hear and determine the said Appeal at such General Quarter-Sessions, or, if they think proper, may adjourn the Hearing thereof until the next General Quarter-Sessions of the Peace to be holden for such County; and the said Justices may, if they see Cause, mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye-Law, Order or Determination, and may also order and award such further Satisfaction to be made to the Party injured, as they shall think and judge reasonable; but no Proceedings to be had and taken in pursuance of this Act, shall be quashed or vacated for Want of Form, or be removed by Writ of *Certiorari*, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, or elsewhere, any Law or Statute to the contrary notwithstanding.

*Certiorari.*Compensation
made for Damages
done.

XCIII. And be it further enacted, That in case any Damage shall arise or happen to the Lands, Tenements or Hereditaments of any Person from the making the said new Docks, Basins, Ponds, Sluices, Entrances and other Works herein authorized to be made, the said Company shall, within One Calendar Month after Notice of such Damage in Writing, signed by the Party interested or his Agent, shall have

have been left at the Office of the said Company, make such reasonable Compensation for the same, and in such a manner as shall be agreed upon between the Party interested and the Directors of the said Company; but in case the Parties cannot agree, then it shall be lawful for the Directors, and they are hereby required within One Calendar Month after a Demand for that Purpose shall have been made in Writing by the Party interested, to cause a Jury to be summoned in the manner herein directed, to decide by their Verdict the Amount of the Compensation to be made for such Damage, and the time and manner in which such Compensation shall be made by the said Company, which Verdict shall be final and conclusive between the Parties to all Intents and Purposes: Provided always, that no Party shall be entitled to such Compensation unless the Claim for the same be made within Six Calendar Months after the Damage, in respect of which such Claim is made, shall have accrued.

XCIV. And be it further enacted, That if any Action or Suit shall be brought or commenced against any Person or Persons, Bodies Politick or Corporate, for any Thing done in pursuance of this Act, every such Action or Suit shall be brought or commenced within Six Calendar Months next after the Fact committed, or in case there shall be a Continuation of Damages, then within Two Months after the doing or committing such Damage shall have ceased, and not afterwards, and shall be laid and brought in the County where the Matter in Dispute or Cause shall arise, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or if any Action or Suit shall be brought after the time so limited for bringing the same, or in any other County or Place than as aforesaid, then and in every such case the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuited of his, her or their Action or Suit, after the Defendant or Defendants shall have appeared, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if upon Demurer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Costs, and shall have such Remedy for the same as any Defendant hath for Costs of Suit in other Cases by Law.

Claims for Damage to be made within Two Months.

General Issue.

Costs.

XCV. And be it further enacted and declared, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

Publick Act.

SCHEDULE (A.) to which the foregoing A& refers.

No. on Plan.	Description.	Owners.	Occupiers.
1	Marth.	Rit. Hon. Ld. Carteret, &c.	Joseph Read.
2	Do.	—— Barnett	—— Hampton.
3	Do.	Rt. Hon. Ld. Carteret, &c.	Joseph Read.
4	Do.	Do.	Do.
TRINITY STREET ENTRANCE.			
5	Dwelling and Yard.	Thomas Ritchie.	Thomas Ashdon.
	Do.	Do.	Rt. Whitfield.
	Do.	Do.	Thomas Morgan.
	Do.	Do.	John Highland.
	Do.	Do.	—— Gerrowcole.
	Do.	Do.	—— Bryan.
	Do.	Do.	Purse and Bennett.
	Do.	Do.	David Wilcox.
	Do.	Do.	John Cox.
	Do.	Do.	Elizabeth King.
	Do.	Do.	—— Brown.
	Do.	Do.	—— Peak.
	Do.	Do.	—— Griffiths.
	Do.	Do.	T. Sindrey.
6	Dwelling, Wharf, Sheds, &c. East India Arms (Publick House)	Land, E. Ritchie. Do.	Jer. Kosher. T. Lawrence.
ROTHERHITHE STREET ENTRANCE.			
7	Meadow.	Rt. Hon. Ld. Carteret	Thomas Watson.
	Cottage, Sheds and Garden	Do.	Do.
	Noah's Ark (Publick House)	Do.	Do.
8	Garden	Do.	G. Walkington.
9	Dwelling, Yard, &c. }	Do.	—— Morley.
	Do.	—— Purnett, Leaseholder }	John Steel.
	Do.	Do.	John Pryor.
	Do.	Do.	Richard Gardner.
	Do.	Do.	—— Newman.
	Do.	Do.	Thomas Butler.
	Do.	Do.	Mrs. Vaughan.
	Ground, forming Court to above Houses }	Do.	
	Dwelling, Yard, &c. being 170, in Rotherhithe Street }	Do.	William Marklew.
	Do. 171, Do.	Do.	—— Moncar
10	Do. behind the above	Do.	—— Johnston.
	Do. 172, in Street	Do.	—— Eagger.
	Do. 173, Do.	Do.	James Mullett.
	Do. 174, Do.	Do.	Mrs. Danby.
	Do. 175, Do.	Do.	Henry Hughes.
	Do. 176, Do.	Do.	George Steel.
	Do. 177, Do.	Do.	Mrs. Dance.
	Do. 178, Do.	Do.	John Walker.
			Dwelling

No. of Plan.	Description.	Owners.	Occupiers
	Dwelling in Lepard's Court	Purnett, Leaseholder	Samuel Hill.
	Do.	Do.	Mrs. Webb.
11	Do.	Do.	Francis Wyatt.
	Do.	Do.	Fuller.
	Do.	Do.	Saxby.
	Do.	Do.	Williams.
12	Wharfs, Sheds, &c. next, Thames, &c.	Do.	Sindrey.
13	Wharfs, Sheds, &c.	Do.	John Rufmore.
	Dwelling, &c. being Number 108, Rotherhithe Street	Do.	Jacob Hyde.
14	109, Do.	Do.	Jacob Lullham.
	110, Do.	Do.	James Coller.
	111, Do.	Do.	Davey.
	Dwelling, Granary, Malting Loft and Garden, &c.	Do.	Northcote.

SCHEDULE (B.) to which the foregoing Act refers.

Per Register Ton.

s. d.

Dockage on laden Ships, with Permission of laying Six Weeks	1	6
After that Time, if remaining with a Cargo on board, per Week	0	1
Or if remaining without a Cargo on board, per Week	0	0½
Ships coming in light, for the first Six Weeks	0	3
And if exceeding that Time, per Week	0	0½
All rigged Vessels coming to load Goods in the Dock	0	6
All Ships to pay for docking	10	6
And for undocking	10	6
Lighters, Barges and Small Craft to pass without Charge.		

s. d.

Wharfage of Oak and other heavy Timber, per Load	3	0	Rent while stored on the Pre- mises of the Company, per Load per Quarter	3	0
Wharfage of Oak and other heavy Planks, per Load	3	6	Rent while stored on the Pre- mises of the Company, per Load per Quarter	3	6
Wharfage on large Timber and Masts, per Load	0	0	Rent while stored on the Pre- mises of the Company, per Load per Quarter	1	6

Wharfage

Wharfage on small Timber, per Load	0 0	Rent while stored on the Pre- mises of the Company, per Load per Quarter	2 6
Wharfage on Deals from the Baltic, per reduced Stand- ard of 120	3 0	Rent while stored on the Pre- mises of the Company, per Quarter per reduced Standard of 120	5 6
Wharfage on Deals from Ame- rica, per reduced Standard of 120	3 0	Rent while stored on the Pre- mises of the Company, per Quarter per reduced Standard of 120	3 6
Wharfage on Oak Pipe and Hoghead Staves from the Baltic, per thousand	10 0	Rent while stored on the Pre- mises of the Company, per Quarter per thousand	15 0
Wharfage on Oak Barrel and Heading Staves from the Baltic, per thousand	7 6	Rent while stored on the Pre- mises of the Company, per Quarter per thousand	10 0
Wharfage on Hemp and Flax, per Ton	2 0	Rent while stored or ware- housed on the Premises of the Company, per Week per Ton	0 6
Wharfage on Tallow, per Ton	1 6	Rent while stored or ware- housed on the Premises of the Company, per Week per Ton	0 2
Wharfage on Pitch, Tar and Turpentine, per Barrel, from America or elsewhere	0 2	Rent while stored or ware- housed on the Premises of the Company, per Week per Barrel	0 1
Wharfage on Oil, per Ton	2 0	Rent while stored or ware- housed on the Premises of the Company, per Week per Ton	0 8
Wharfage on Whalebone, per Ton	3 0	Rent while stored or ware- housed on the Premises of the Company, per Week per Ton	0 3
Use of the Coppers for boiling of Blubber, per Ton	25 0		

Cap. ccviii.

29 G. 2. c. 87.
10 G. 3. c. 56.
15 G. 3. c. 34.
as to St. Paul
Shadwell, re-
pealed.

An Act for better regulating, maintaining and employing the Poor, within the Parish of *Saint Paul Shadwell*, in the County of *Middlesex*; for better lighting, watching, paving, cleansing, repairing and improving the Streets and other publick Places in the said Parish; and for repealing Three Acts, severally passed in the Twenty ninth Year of King *George the Second*, and in the Tenth and Fifteenth Years of His present Majesty, relative thereto.

[20th June 1810.]

Cap. ccix.

An Act for more equally and effectually assessing and collecting the Poor

Poor Rates; within the Parish of Saint Botolph without Aldgate;
in the County of Middlesex [20th June 1810.]

Cap. ccx.

An Act for more effectually improving the Road from *Burford* to *Banbury* in the County of *Oxford*, and from *Burford* to the Road leading to *Stow* in the County of *Gloucester*, and from *Swerford Gate*, in the County of *Oxford*, to the Road in *Aynho* in the County of *Northampton*. (a) [20th June 1810.]

10 G. 3. c. 101.
21 G. 3. c. 128.
repealed.

Cap. ccxi.

An Act for confirming and rendering perpetual a Partition between the Trustees of *Henry Smith's* Charity and *John Newnham* Esquire, of divers Estates in *Worth* and *Balcombe* otherwise *Baulcombe*, *Ardingley*, *Crawley* and *Ifeld*, in the County of *Suffex*. (q. P.) [20th June 1810.]

Cap. ccxii.

An Act for inclosing Lands within the Parishes of *Trelleck*, *Penalt*, *Mitchel Troy*, *Cwmcarvan*, *Lundogo*, *Tintern* and *Lanishen*, in the County of *Monmouth*. (q. P.) [20th June 1810.]

“ Allotment and Compensation for Tithes. § 23.

Cap. ccxiii.

An Act for inclosing Lands in the Manor of *Netter Kellet* in the Parish of *Bolton by the Sands*, in the County Palatine of *Lancaster*. (q. P.) [20th June 1810.]

Cap. ccxiv.

An Act for rebuilding the late Theatre Royal *Drury Lane*, upon the Conditions, and under the Regulations therein mentioned. [21st June 1810.]

‘ **W**HEREAS the Existence of well-regulated Theatres substantially built, and capable of affording the best Accommodation to be obtained for the Publick, with respect to the surrounding Avenues, Passages and Approaches, as well as to their Fitness for Scenic Representation, has always been considered to be a Matter worthy both of Royal Attention and Legislative Protection: And whereas in the Year One thousand seven hundred and ninety three, the then Theatre Royal in *Drury Lane* was taken down, and great Sums expended by the Most Noble *Francis* the late Duke of *Bedford*, in the Purchase of Ground and Houses in the Neighbourhood, in order to erect a new Theatre upon a Scale of Magnificence and Grandeur; the Interest of which Sums so expended by the said Duke of *Bedford* being added as an additional Rent Charge upon the said Theatre: And whereas the Sum of One hundred and fifty thousand Pounds was raised by the Proprietors of the said Theatre by Shares of Five hundred Pounds each, for the Accomplishment of the erecting the proposed new Theatre, and for paying off the then existing Mortgages; but owing to various and unforeseen Circumstances, and to the unavoidable Necessity which arose of making various Alterations in the original Plan, the Theatre when opened in the Beginning
‘ of

of the Year One thousand seven hundred and ninety four, was very
 far from being in a finished State, while the intended surrounding
 Buildings stated in the Estimate were not even begun, and a great
 Debt was left wholly unprovided for, and the whole Sum intended
 to be applied to the Building of the Theatre was entirely ex-
 pended by the Trustees in endeavouring to accomplish the same :
 And whereas a Settlement of the Remainder of the said Debt and
 Claims took place in the Year One thousand eight hundred and
 two, through an Arrangement made under the immediate Di-
 rection and Authority of the Lord Chancellor, and assented to by
 all Parties ; And whereas, in the course of a successful Progress
 towards the Liquidation of the said Claims, the said Theatre
 Royal, with all its Scenery, Wardrobe, Furniture and other Arti-
 cles, was wholly destroyed by the Calamity of Fire in the Year
 One thousand eight hundred and nine, being insured only to the
 Amount of Thirty five thousand Pounds, or thereabouts : And
 whereas it is deemed expedient to surrender and make over the
 whole Interest of the present Proprietors of the said Property to a
 Body of Subscribers purchasing the same and becoming *bona fide*
 Proprietors of the whole Patents, Leases or Agreements for Leases,
 Materials, Foundation, Scite of Ground, and every other Property
 of whatever Description now belonging to or held in Trust for the
 Proprietors of the said Theatre : And whereas the several Per-
 sons hereinafter named are willing and desirous, at their own Ex-
 pence, to provide for or to discharge all just and equitable Claims
 on the late Theatre, should the same be duly ascertained to their
 Satisfaction, and not found to exceed the computed Amount upon
 which they are willing to become Subscribers ; and also to erect,
 build, finish and furnish, fit for Representation, the said intended
 new Theatre, with the surrounding Buildings and Improvements :
 But as the several Purposes before mentioned cannot be carried
 into Effect without the Authority of Parliament : May it there-
 fore please Your Majesty, That it may be enacted, and be it enacted
 by the King's Most Excellent Majesty, by and with the Advice
 and Consent of the Lords Spiritual and Temporal, and Commons,
 in this present Parliament assembled, and by the Authority of the
 same, That His Grace the Duke of Bedford, His Grace the Duke
 of Argyle, the Right Honourable Lord Kinnaird, Samuel Whit-
 bread, Richard Sharpe, Peter Moore, Harvey Christian Combe, Sir
 Robert Barclay Baronet, Thomas Coutts, the Honourable Thomas
 Brand, the Honourable David Anstruther, Alexander Davidson,
 Templar, J. H. Farquhar, Thomas Hammersley
 and Company, Aaron Graham, Richard Wilson, Sir Charles Blicke,
 James Heath, Sir Thomas Turton Baronet, Sir John Sinclair Baronet,
 Sir Matthew White Ridley Baronet, Henry Greville, the Honourable
 Thomas Maule, William Adam, Colonel O'Kelly, Captain Graham,
 Samuel James Arnold, Charles William Ward, William Linley, Robert
 M. Barnard, Richard Peake, Michael Kelly, Joseph Kelly, Henry
 Burgess, Richard Ironmonger, George Boulton, John Morris, Charles
 Beazley, John Graham, Thomas Fosbrook, William Phillips, J.
 Winter, Francis Glossop, William Griffith, John Whitehead, Law-
 rence Burton, Robert John Cocker, Thomas Wright, John Wilkie,
 T Fallowfield, Francis Franco, C Watkin, James
 Raymond, George Pringle, Joseph Kernot, R Knight, J
 Harley,

Proprietors'
 Names.

Harley, H Milton, William Downs, William Dunn, William Lucas, Andrew Franklin, Thomas Greenwood, A Lowndes, John Bowley, Samuel Spring, James Smart, Robert Mitchell, Thomas Shaw, J Stephenson, James Denew, Edward Ainge, M Linley, John Grubb, John Windus, John Welbank, Richard Strong Wells, A Menzies, William Welford, William J Bankes, Theophilus Elgie, George Edwards, James Mitchell, Thomas Parker and Nathaniel Vicker, together with such other Person and Persons as shall subscribe towards raising the Capital Sum hereinafter mentioned, and their several and respective Successors, Executors, Administrators and Assigns, being a Proprietor or Proprietors of any Share or Shares in the said Undertaking, paying and contributing to the Capital Sum to be raised as hereinafter mentioned, shall be and they are hereby accordingly united into a Company for erecting the said Theatre and surrounding Buildings, and carrying into Execution the Purposes of this Act, and shall for that Purpose be One Body Corporate and Politick, by the Name and Style of *The Theatre Royal Drury Lane Company of Proprietors*, and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, and also shall and may have full Power and Authority to purchase or exchange Messuages, Lands, Tenements and Hereditaments, to them, their Successors and Assigns, for the Use of the said Theatre and the surrounding Buildings and Improvements, and the other Purposes herein mentioned, without incurring any of the Penalties or Statutes of Mortmain, and also to sell or exchange for others any of the Lands, Tenements or Hereditaments, purchased for the Purposes aforesaid: Provided always nevertheless, that the said Land or Ground, so to be held by the said Corporation, shall not exceed Five Acres in the whole.

Incorporated.
Their Style.

II. And be it further enacted, That it shall be lawful to and for the said Company of Proprietors to raise and contribute in such Proportions as they shall think proper any Sum or Sums of Money, not exceeding in the Whole the Sum of Three hundred thousand Pounds, which said Sum or Sums of Money shall be laid out and applied, in the first Place, in discharging the Expences of obtaining and passing this Act, and of the Surveys, Plans and Estimates and other incidental Expences relating thereto; and, in the next Place, in Payment to *George White of Park Street, Westminster, Esquire*, and *Ann the Wife of John Martindale of Tavistock Place*, in the County of *Middlesex*, Esquire; or unto such other Person or Persons, as she the said *Ann Martindale* on her Part shall appoint, in equal Shares and Proportions, such Sum or Sums of Money as is and shall or may become due and owing to them in respect of their Shares, Rights and Interests, in certain Letters Patent, granted by His late Majesty King *Charles the Second*, to *Thomas Killebrew Esquire*, for erecting and building a Theatre in the Cities of *London* and *Westminster* or the Suburbs thereof, for performing Plays and other Entertainments therein; and in the next Place, in making due and just Payment or Compensation to the Renters and the several other Claimants on the said Property upon such Terms as the said Claimants and the said Company of Proprietors shall agree; and thirdly, in purchasing the entire Property and Interests of the present Proprietors and Parties, beneficially and ultimately interested.

Company may
raise among
themselves a
Sum not exceed-
ing 300,000*l*.

To be divided
into Shares of
100l. each.

Provido.

Shares to be
Personal Estate.

Enabling incapa-
citated Persons to
release Shares,
&c. in the late
Theatre.

in the Property of the said late Theatre Royal *Drury Lane*, and the Profits and Property thereof, and then for and towards rebuilding, erecting and finishing the said intended new Theatre, and the surrounding Buildings and Improvements necessary thereto, and in purchasing, making and completing the Scenery, Machinery, Wardrobe, Furniture, Music, Decorations, and other Appendages, and otherwise for carrying this Act into Execution; and that the said Sum of Three hundred thousand Pounds shall be divided into Shares of One hundred Pounds each, and that the said Shares shall be and they are hereby vested in the said several Persons and Bodies Politick, Corporate or Collegiate, so subscribing, and their several and respective Executors, Administrators, Successors and Assigns, to their and every of their proper Use and Benefit, proportionably to the several Sums they shall severally pay and contribute, and all Bodies Politick, Corporate and Collegiate, and all other Persons, their several and respective Successors, Executors, Administrators and Assigns, who shall severally subscribe for One or more Share or Shares, shall be entitled to, and receive the entire and net Distribution of an equal proportionable Part according to the Money so by them respectively paid of the Profits and Advantages that shall and may arise and accrue from the Sums of Money to be raised, recovered or received from the said Theatre and Property by the said Company of Proprietors: Provided always, that in case the said Company of Proprietors shall not contract and agree with all the Persons interested in the said Theatre, and other Property, for the Purchase of such several Interests within the Term of Two Years from the passing of this Act, then, and in such Case, this Act and all the Matters and Things therein contained shall become null and void.

III. And be it further enacted, That all and every the Shares and Proportions of all Bodies Politick, Corporate and Collegiate, and all other Person and Persons, of and in the said Undertaking or the Joint Stock or Fund of the said Company of Proprietors, shall be and be deemed to be Personal Estate and transmissible as such, and not of the Nature of Real Property.

IV. And be it further enacted, That it shall and may be lawful to and for all Husbands, Guardians, Trustees, Committees, Executors and Administrators, and all other Trustees and Persons whomsoever, not only for and on behalf of themselves, their Executors and Administrators, but also for and on behalf of their *Cestuique* Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femmes Covert, or other Person or Persons, and to and for all Femmes Covert, or any other Person under any other Disability or Incapacity whatsoever, who is, are or shall be possessed of, interested in or entitled unto any Property, Share, Annuity, Rent Charge, Right, Title, Interest, Debt, Claim or Demand, out of, in, unto or upon the said late Theatre Royal *Drury Lane*, or the Patents, or other Property thereunto belonging, or unto any Messuages, Lands, Hereditaments or Premises, to sell, assign, release, discharge, transfer and convey the same, and every Part thereof, for such Sum of Money, Consideration or Compensation, as such Person or Persons shall agree to take or receive, for or in lieu of the same to the said Company of Proprietors; and that all such Sum and Sums of Money, Consideration or Compensation, shall be paid unto and received by such Person or Persons hereby authorized as aforesaid, and shall be paid,

paid, applied, settled, limited and vested by him, her or them, to, for and upon the same Trusts, Settlements, Intents and Purposes, and in the same manner as such Property, Share, Annuity, Rent Charge, Mortgage, Right, Title, Interest, Debt, Claim or Demand, which shall be so sold, assigned, released, discharged, transferred or conveyed, as aforesaid, stood settled, limited or vested, or such of them as at the time of making such Assignment, Release, Discharge, Transfer or Conveyance shall be existing, undetermined and capable of taking effect, or as near thereto as may be; and that every Sale, Assignment, Conveyance, Transfer, Release and Discharge of such Property, Share, Annuity, Rent Charge, Mortgage, Right, Title, Interest, Debt, Claim or Demand, or of any Messuages, Lands, Hereditaments or Premises, which shall be made or executed by such Person or Persons hereby authorized as aforesaid, shall be good and effectual in the Law to all Intents and Purposes whatsoever, and the same respectively shall be vested in the said Company of Proprietors, for the Purposes herein mentioned.

V. And be it further enacted, That all and every Body and Bodies Politick, Corporate, Collegiate, or other Person or Persons who shall, by virtue of this Act, have subscribed or undertaken for one or more Share or Shares in the said Undertaking, his, her or their respective Successors, Executors, Administrators and Assigns, shall have a Vote in the several Assemblies, to be holden as hereinafter appointed for carrying on the said Undertaking, for such Share or Shares; and if possessed of Three Shares to have Two Votes, if of Six Shares to have Three Votes, if of Ten Shares to have Four Votes, and if of Fifteen Shares and upwards to have Six Votes; and every Question, Matter or Thing which shall be proposed, discussed or considered in any General or Special General Assembly of the said Company of Proprietors, shall be determined by the Majority of Votes then present, computing the Votes as above mentioned, not exceeding Six Votes in the Whole for each Proprietor as aforesaid, provided that the Members present be possessed of not less than One hundred Shares; and every Question, Matter or Thing which shall be proposed, discussed or considered in any General or Special General Assembly of the said Company of Proprietors, shall be determined by the Majority of Votes then present in the manner aforesaid.

Subscribers to have Votes according to the Number of their Shares, not to exceed Six Votes.

VI. And be it further enacted, That the First General Assembly of the said Company of Proprietors for putting this Act into Execution shall be held at such Time and Place as the Committee hereinafter appointed shall direct, within Sixty Days after the passing of this Act, or as soon after as conveniently may be, between the Hours of Eleven in the Forenoon, and Two in the Afternoon; and the Second General Meeting of the said Company shall be held at such Time and Place within Sixty Days next after the holding of the First General Meeting as the Committee shall appoint; and at such General Meeting, a full and distinct Statement of the Arrangements proposed by the Committee, and assented to by the Claimants and the Proprietors of the late *Drury Lane* Property, shall be submitted to the said General Meeting, for their Consent and Approbation; and any Subscriber disagreeing from such Statement, shall be at Liberty to withdraw his Subscription, and relinquish all Share and Interest in the Undertaking; and in case the Place of such Subscribers so with-

First General Assembly of the Proprietors.

A distinct Statement of Arrangements proposed by Committee to be laid before Proprietors.

withdrawing shall not be filled up by new Subscriptions, or taken by the remaining Subscribers within Two Months from the Date of such General Meeting, or in case no such General Meeting shall be held, or if no such Statement shall be made to such General Meeting, then in the said Cases the whole of this Act shall become null and void, and the Overplus (if any) of all Deposits or Advances shall be returned to the respective Subscribers, after deducting all Expences in obtaining and passing this Act, and of the Surveys, Plans and Estimates, and other incidental Expences relating thereto, out of such Deposits or Advances, and thereupon the whole of the said Arrangements under the Order of the Court of Chancery, shall be revived and be acted upon in such and the like manner as if this Act had not been made, but in case of the above Subscription being filled on the Terms and in the manner above mentioned, then all future General Assemblies of the said Company of Proprietors, except such Special General Assemblies as shall be convened by the Committees for particular Purposes, shall be held annually between the Hours of Eleven in the Forenoon and Two in the Afternoon, at such Days and Places as the Committee hereinafter appointed for the time being shall direct; of which First and every future General Assembly and Assemblies Ten Days previous Notice, at least, shall be given by publick Advertisement, to be inserted in the *London Gazette*, and Three or more Newspapers, and in such other manner as the Committee of the said Company of Proprietors shall direct; and that the said Company of Proprietors, at such their respective General or Special Assemblies, shall and may appoint a Chairman, who shall not only vote as a Proprietor, but in case of an Equality of Votes, shall have a casting Vote.

Proprietors at
their Assemblies
may appoint
a Chairman.

A Committee
of Proprietors
appointed.

Names of
Committees.

Chairman.

VII. And be it further enacted, That, for the better forwarding the Purposes of this Act and the Interest of the said Company, there shall be a Committee of Ten Proprietors, and that the Honourable *Thomas Brand*, the Honourable *Cavendish Bradshaw*, the Honourable *Kinnaird*, Sir *Thomas Turton* Baronet, *Samuel Whitbread*, *Peter Moore*, *Harvey Christian Combe*, *William Adam*, *Richard Sharpe* and *Richard Wilson*, Esquires, shall be the First Committee: Provided always, that no Person or Persons holding any Contract, Engagement or Employment respecting the said Building shall be capable of being elected or of serving upon such Committee during the time of his Continuance in such Contract, Engagement or Employment for the said Building, nor unless he shall possess or hold in his own Right One Share in the said Undertaking; and that the said Committee shall and may, at every Meeting holden by them during the Continuance of their said Office, appoint a Chairman by and out of the said Committee; and that no Member of any Committee shall have more than one Vote upon any Question that may be agitated in the said Committee, except in case of an Equality of Votes, and in that Case the Chairman shall have the decisive or casting Vote, although he may have given one Vote before; and that the said Committee shall be authorized to add any Number of Proprietors not exceeding Eleven to the said Committee, and that Three of the said Committee, namely, *Samuel Whitbread*, *Peter Moore* and *Harvey Christian Combe*, Esquires, shall be the Trustees who shall appoint the Banker or Bankers where the Theatre Subscription Account shall be held; and the said Committee are hereby

autho-

authorized and directed either collectively or by appointing select Committees out of their own Number for the different Purposes hereinafter mentioned, if it should appear to them the preferable Mode of executing the same, to arrange and complete Terms of Settlement and Compensation with the several Claimants on the said Property, and to determine upon and select the Plan for rebuilding, and to make Contracts and Bargains for erecting the said Theatre as hereinafter is mentioned, and also for arranging the Terms upon which all Rights and Interests of the present Proprietors shall be made over to the said intended Company of Proprietors, and all other necessary Purposes: Provided always, that no Member of the said Committee having any Claim or Demand upon or Interest in the said Property, while the same shall remain unsettled, shall be competent to act with or vote in any Committee employed in settling the Terms and Compensation to be made to the said Claimants or Parties interested; and that the First Committee shall continue until Three Months after the Opening of the said Theatre, and shall then go out of Office in the Order and Rotation herein mentioned. Proviso.

VIII. And be it further enacted, That the First Committee which shall meet under and by virtue of this Act are hereby authorized and directed to form and arrange a Plan for the future Government and Conduct of the Theatre Property, as shall seem best calculated according to their Judgment to promote and maintain the Interests and Character of the Undertaking, and to meet the Expectations and merit the Approbation of the Publick, such Plan to be submitted to a General Meeting of the said Company, to be specially called by Advertisements in the *London Gazette*, and such of the *London Newspapers* as the said Committee shall think proper, at least Three Months previous to the Opening of the said Theatre, such Plan to be adopted, altered or rejected by a Majority at such Meeting; and that all the Powers and Authorities hereby vested in or directed to be exercised by the said Committee, or any other Committee to be hereafter appointed, may be done and exercised by the major Part of the Members present at the respective Meetings (the same having been duly convened) the whole Number present not being less than Five; and every such Committee shall from time to time make Report of their Proceedings to the said General Assemblies of the Proprietors; and the said Committee shall (subject nevertheless to such Orders and Regulations as herein mentioned), meet at such Times and Places, and shall and may from time to time adjourn themselves to such other Times and Places as they at their respective Meetings shall think fit. Power of Committee.

IX. And be it further enacted, That the said Committee herein appointed, or any other Committee for the time being to be appointed in pursuance of this Act, shall and may at their said Meetings, contract and agree for and complete the Purchase of such Messuages, Ground, Property and Premises, and the Machinery, Scenery, Wardrobe, Furniture, Music, and other Articles and Things, as they at such Meetings shall deem necessary for erecting, building, decorating, completing and making fit for Representation the said Theatre, and for arranging the Terms upon which a limited Number of Private Boxes may be let, should the said Committee find it advisable and expedient for the Completion of the Plan, and for making and finishing the surrounding Buildings, Avenues, Passages and Empowering Committee to make Contracts.

Improvements to belong to the said Theatre; and for the several other Purposes in this Act mentioned; and also shall and may enter into and make Agreements, Contracts and Bargains with the Architects, Surveyors, Workmen and other Persons, for erecting, building and completing the said intended Theatre, Buildings, Improvements, Works, and the several other Purposes herein mentioned, and appoint an Architect, Surveyor, Secretary, Banker, Solicitor and other Officers and Servants, as they may deem necessary to the said Undertaking, with such Appointments, Salaries or Allowances as such Committee shall think proper; and that the Committee now appointed, or any other Committee hereafter to be appointed in pursuance of this Act (subject nevertheless to the Orders and Directions herein mentioned) shall have the Custody of the Common Seal of the said Company of Proprietors, and they are hereby authorized, at any of their Meetings duly convened, to use, put and affix the same to any Instrument, Deed or Writing which they shall deem necessary for carrying the Purposes of this Act into Execution; and also shall have full Power and Authority to direct and manage all and every the Affairs and Concerns of the said Company of Proprietors, and to direct and make the several Payments out of the Joint Stock of the said Company, which they at their said Meetings may deem necessary, and direct and order all or any of the several Purposes herein mentioned; and the said Committees are hereby authorized and directed to keep a full, correct and true Account of all Monies which they shall from time to time pay, or order and direct to be paid, and for what Purposes, and also a full, correct and true Account of all and every Sum and Sums of Money which they from time to time shall receive in respect of the said Theatre.

Subsequent
Appointment of
Committee (by
the Proprietors)
in the Room of
those going out
of Office by
Rotation.

X. And be it further enacted, That the said Committee so elected shall continue in Office until Three Months after the Opening of the said Theatre, and on such Day Seven of the said Committee shall go out of Office and cease to be upon the Committee of the said Company: and in order to determine who of the said Committee shall go out of Office and cease to be of the Committee of the said Company, the Secretary of the said Company at the General Assembly of the said Company to be holden on that Day or some Adjournment thereof, shall and he is hereby required to write upon Twenty one distinct Pieces of Paper of equal Size the Name of One of the said Committee on each of such Papers; and all such Papers shall be rolled up in the same Form as near as may be, and be put into a Box or Wheel, and Seven of such Papers shall then be drawn out of such Box or Wheel by such Secretary, one by one, and those Seven of the Committee whose Names shall be upon such Papers respectively so drawn shall go out of Office and cease to be upon the Committee of the said Company, and the said Company shall then elect by Ballot as aforesaid Seven Members of the said Company, who shall severally be possessed and entitled to Three Shares at the least in the said Undertaking, and such Seven Persons so elected shall continue in Office for the Space of Three Years (except in case of Death or Refusal to act, or ceasing to be qualified in manner by this Act directed, or being removed or displaced by the said Company of Proprietors at any General Assembly or Special General Assembly convened for that Purpose) and no longer; and on the First *Wednesday* in the next succeeding Month of *May* after the Expiration of the said

Three

Three Years, Seven more of the Committee first elected by virtue of this Act as Part of the Committee, or the Person or Persons elected in his or their Room or Stead, shall go out of Office and cease to be upon the Committee of the said Company, and in order to determine who of such Seven of the Committee shall go out of Office and cease to be upon the Committee of the said Company, the Secretary of the said Company at the General Assembly of the said Company to be holden on that Day or some Adjournment thereof, shall and he is hereby required to write upon Twenty one distinct Pieces of Paper of an equal Size, the Name of One of such of the Committee on each of the said Papers, and all such Papers shall be rolled up in the same Form as near as may be, and be put into a Box or Wheel by such Secretary, and Seven of such Papers shall be then drawn out of such Box or Wheel by such Secretary one by one, and those of the Committee whose Names shall be upon such Papers respectively so drawn shall go out of Office and cease to be upon the Committee of the said Company, and the said Company shall then elect, by Ballot as aforesaid, Seven Members of the said Company, qualified as aforesaid, to be upon the Committee of the said Company in the Room or Stead of such Seven of the Committee, and such Seven Persons so elected shall continue in Office for the Space of Three Years, (except in case of Death or Refusal to act, or ceasing to be qualified in manner by this Act directed, or being removed or displaced as aforesaid) and no longer; and on the First *Wednesday* in the next succeeding Month of *May* the Seven remaining Members of the Committee first elected by virtue of this Act, or the Person or Persons elected in his or their Room or Stead, shall go out of Office and cease to be upon the Committee of the said Company; and the said Company shall, at their General Assembly, to be holden on that Day or some Adjournment thereof, elect by Ballot as aforesaid Seven Members of the said Company, qualified as aforesaid, to be upon the Committee of the said Company, in the Room or Stead of such Seven of the Committee going out of Office as last aforesaid; and such Seven Persons so elected shall continue in Office for the Space of Three Years, (except in case of Death or Refusal to act, or ceasing to be qualified in manner by this Act directed, or being removed or displaced as aforesaid,) and no longer; and on the First *Wednesday* in every succeeding Month of *May* in each and every Year, Seven Persons out of the Members of the said Company, qualified as aforesaid, shall be elected by Ballot as aforesaid, by the said Company, to be Members of the Committee of the said Company; and such Seven Persons so elected shall continue in Office for the Space of Three Years, (except in case of Death or Refusal to act, or ceasing to be qualified in manner by this Act directed, or being removed or displaced as aforesaid) and no longer; Provided always, that it shall and may be lawful to and for the said Company of Proprietors again to nominate and appoint any such Person or Persons so qualified as aforesaid, and going out of Office, again to be a Member or Members of the said Committee; and in case, on any such First *Wednesday* in the Month of *May* in any Year, no such Nomination and Appointment of such Seven Members of the Committee shall be made, then, and in every such Case, another Meeting of the said Company shall be holden on the First *Wednesday* in *June* following, for the Purpose of making such Election; and in

In case Committee not appointed on Day mentioned, another Meeting to be had for that Purpose.

case no such Nomination and Appointment shall be then made, then, and in every such Case, another Meeting of the said Company shall be holden on the First *Wednesday* following, for the Purpose of making such Election, and so *toties quoties* until such Seven Members of the Committee shall be chosen; but such Seven Members of the Committee shall not continue in Office or be Members of the said Committee, for any longer Space of time than if they had been elected on the First *Wednesday* in the Month of *May* as aforesaid; and until such Seven Members of the Committee shall be chosen, the Seven Members of the Committee going out of their Office shall continue in Office, and shall enjoy the same Powers and Authorities as the other Members serving upon the said Committee.

Subsequent
Appointment of
Committee by
Proprietors in
the Room of
those who shall
die, refuse to
act, or become
disqualified.

XI. And be it further enacted, That in case any Person or Persons elected by the said Company as a Member or Members of the Committee of the said Company, shall die or refuse to act in the Execution of this Act, or shall cease to be entitled to One Share at the least in the said Undertaking, or shall hold any Place, Contract or Employment, respecting the said Building, under the said Company, or being otherwise disqualified to act with or vote in any Committee as hereinbefore mentioned, then, and in every such Case, it shall and may be lawful to and for the said Company to elect, at the next General Assembly, or at some Special General Assembly of the said Company to be called for that Purpose, some Person or Persons qualified as aforesaid to be a Member or Members of the Committee of the said Company in the Room or Stead of the Member or Members of the Committee so dying or refusing to act, or ceasing to be qualified, or holding any Place, Contract or Employment respecting the building the said Theatre and Premises under the said Company; and every Person or Persons so elected shall have the like Powers and Authorities, and shall be subject to the like Rules, Regulations and Restrictions as the Person or Persons in whose Room or Stead he or they shall be so elected, and shall continue in Office as a Member or Members of the Committee for such time and no longer as the Person or Persons in whose Room or Stead he or they shall be so elected would have continued in Office.

Auditors to be
appointed.

XII. And be it further enacted, That the said Company of Proprietors shall, at their First General Assembly, or at any Adjournment of the same, elect by Ballot Two Persons of and out of the said Company of Proprietors to be Auditors of the Accounts of the said Company, and such Persons shall continue in Office until the next General Assembly of the said Company to be holden on the First *Wednesday* in the Month of *May* then next ensuing, but no Person shall be capable of being elected, or of serving as an Auditor of the Accounts of the said Company, unless he shall hold and be possessed of One Share at least in the said Undertaking: Provided always, that no Person or Persons holding any Place, Office, Employment or Contract under the said Company, shall be capable of being elected, or of serving as such Auditor of Accounts during the time of his Continuance in such Place, Office, Employment, or holding such Contract.

Subsequent
Appointment
of Auditors.

XIII. And be it further enacted, That the said Auditors so elected, or the Person or Persons so elected in their Room or Stead by virtue of this Act, shall continue in Office until the said First *Wednesday* in the Month of *May* next after such Election; and on
such

such Day, One of the said Auditors shall go out of Office and cease to be an Auditor of the Accounts of the said Company, and the same Provisions hereinbefore made and enacted in respect of the Election of Members to serve upon the Committee in the Room of those going out by Ballot or Rotation, or who shall die, refuse to act, or become disqualified, shall be applicable to the Election of Auditors of Accounts.

XIV. And be it further enacted, That the Auditors' of the Accounts of the said Company, shall and they are hereby empowered and required to meet at some convenient Place Four times at the least in every Year, for the Purpose of examining the Accounts of the said Company, and at such Meetings, all Accounts of Money received, laid out and disbursed on account of the said Undertaking, or on any of the Works thereunto belonging, by the Committees, Treasurers, Receivers, Secretary, or by any Person or Persons whomsoever, employed by or concerned for or under the said Company, in and about the said Undertaking or the Works thereunto belonging, shall be laid before the said Auditors to be audited and settled; and the said Auditors shall cause a fair and correct Statement of the Accounts to be made out, which Statement shall be laid before the next General or Special General Assembly of the said Company of Proprietors for their Confirmation, and in order to defray the Expences of their Meetings, the said Auditors shall from time to time receive out of the Capital Stock of the said Company of Proprietors, such Sum or Sums of Money as shall be directed, adjusted and settled by the said Company of Proprietors at any General Assembly.

Power of the
Auditors.

XV. Provided always, and be it further enacted, That from and after the First General Meeting to be held under this Act, no Proprietor or Proprietors shall be deemed to be qualified or entitled to vote who has or have not possessed his, her or their Shares, and whose Name or Names hath or have not been entered in manner hereinafter directed in the Books of the said Company, as the Possessor or Possessors, and Proprietor or Proprietors of such Shares, for the Space of Three Calendar Months then next preceding, at any General or Special General Assembly of the Proprietors of the said Undertaking.

Proprietors not
entitled to vote
unless possessed
of their Shares
Three Calendar
Months.

XVI. Provided always, and be it further enacted, That the said Committee shall have Power, and they are hereby required from time to time to make such Call or Calls of Money from the Subscribers to and Proprietors of and in the said Undertaking, to defray the Expences of, or to carry on the same as they the said Committee shall from time to time find wanting and necessary for the Purposes of this Act, so that no such Call shall exceed the Sum of Ten Pounds for every Share, except as hereinafter mentioned; and such Calls shall not be made but at the Distance of Twenty one Days at least from each other, and Ten Days Notice at least shall be given of all such Calls as aforesaid by Advertisement in Three or more of the *London* Newspapers, and in such other manner as the said Company of Proprietors shall at any General Assembly direct and appoint: Provided, that it shall not be lawful to make any further Call upon any Proprietor or Proprietors beyond the full Amount of the Sum or Sums which by his, her or their Subscription, he, she or they had undertaken to pay for his, her or their said Share or Shares; and every

Committees may
make Calls,
Shares forfeited
if Calls not paid,
but no Advantage
to be taken
of Forfeiture
without Motion.

Penalty

Personal Notice
of Call.Inserted in
London Gazette.Subscribers to
pay their Sub-
scriptions on
Calls by the
Committee.

Owner or Owners, Proprietor or Proprietors of any Share or Shares in the said Undertaking shall pay his, her or their rateable Proportions of the Monies to be called for as aforesaid to such Person or Persons, and at such Time and Place, as the said Committee shall from time to time order and direct: and if any Person or Persons shall neglect or refuse to pay his, her or their rateable or proportionable Part of the Money so called for as aforesaid (except such Subscribers as shall have withdrawn themselves and their Subscriptions from the said Company at and within the time and in the manner hereinbefore mentioned) at the Time and Place appointed by such Committee, or within Twenty one Days next ensuing, he, she or they so neglecting or refusing shall forfeit and pay the Sum of One Pound for every Share he, she or they shall have in the said Undertaking; and in case such Person or Persons shall continue to neglect or refuse to pay his, her or their rateable Call or Calls as aforesaid for the Space of Two Calendar Months next after the time so appointed for Payment thereof, then, and in every such Case, he, she or they so neglecting or refusing shall forfeit his, her or their respective Share or Shares in the said Undertaking, and all their Profits and Benefits thereof, and all Sum and Sums of Money which he, she or they shall have previously paid for or on account of the same, and save and except as aforesaid; all which Shares and Sum and Sums of Money so forfeited shall be vested in the said Company of Proprietors in trust for and for the Benefit of all the rest of the said Proprietors, in proportion to their respective Interests in the said Undertaking, or shall at the Discretion of any of the said General or Special General Assemblies, be publickly sold for the Use of the rest of the said Proprietors, whose Shares and Interests shall not have been forfeited as aforesaid: Provided nevertheless, that no Forfeiture of any Share or Shares in the said Undertaking shall be or be deemed to be incurred, save and except personal Notice of such Call or Calls in Writing signed by the Secretary or Secretaries to the said Committee, shall have been given to or left at the last or usual Place or Places of Abode of the Owner or Owners of such Share or Shares respectively, provided such Place or Places of Abode shall be within Ten Miles of the *Royal Exchange* of the City of *London*, or until such Notice shall be sent to or left at the last or usual Place or Places of Abode of such Owner or Owners respectively; provided such Place or Places of Abode shall be Twenty Miles or upwards distant from the *Royal Exchange* in the City of *London*, and in case the Place or Places of Abode of any such Owner or Owners shall not be known to the Secretary or Secretaries of the said Committee, then such Notice shall be inserted once in the *London Gazette*, nor until all such Share or Shares shall likewise have been declared to be forfeited at some General or Special General Assembly of the said Company of Proprietors.

XVII. Provided always, and be it enacted, That the respective Persons who have subscribed or who shall hereafter subscribe or advance any Money for and towards the said Undertaking, or shall be Owner or Owners, Proprietor or Proprietors of any Share or Shares in the said Undertaking, shall and he, she and they is and are hereby required to pay the Sum or Sums by them respectively subscribed (or such Parts and Proportions thereof as shall from time to time be called for by the Committee of the said Company of Proprietors by

by virtue of and agreeable to the Powers and Directions of this Act) at such Times and Places and in such manner as shall be directed by the said Committee: and in case any such Subscriber or Subscribers shall neglect or refuse to pay the same at the Time and Place and manner so required for that Purpose, the said Company of Proprietors are hereby empowered to sue for and recover the same in any of His Majesty's Courts of Law or Equity whatsoever.

XVIII. And be it further enacted, That in all Actions brought by the said Company of Proprietors against any Person or Persons who hath or have subscribed, or who shall hereafter subscribe or advance any Money for and towards the said Undertaking, or against any Owner or Owners, Proprietor or Proprietors of any Share or Shares in the said Undertaking, to recover any Sum or Sums of Money due and payable to the said Company for or by reason of any Call or Calls made by virtue of this Act, it shall be sufficient for the said Company to declare and alledge that the Defendant or Defendants being an Owner or Owners, Proprietor or Proprietors of such or so many Share or Shares in the said Undertaking, is or are indebted to the said Company in such Sum or Sums of Money as the Call or Calls in arrear shall amount to for such and so many Call or Calls of such or so many Sum or Sums of Money upon such or so many Share or Shares belonging to the said Defendant or Defendants (as the Case may happen to be) whereby an Action hath accrued to the said Company by virtue of this Act, without setting forth the special Matter; and on the Trial of such Action it shall be only necessary to prove that the Defendant or Defendants, at the time of making such Call or Calls, was or were an Owner or Owners, Proprietor or Proprietors of some Share or Shares in the said Undertaking; and that such Call or Calls was or were in fact made, and that such Notice was given thereof as is directed by this Act; and the said Company shall thereupon be entitled to recover what shall appear to be due, unless it shall appear that Notice was not given as aforesaid; and after Judgment shall be given for the said Company in any such Action, Execution shall not be stayed by reason of any Writ of Error brought by the Defendant or Defendants therein, unless such Defendant or Defendants, with Two sufficient Sureties, shall first become bound to the said Company by Recognizance, to be acknowledged in the Court in which such Judgment shall be given in double the Sum adjudged to the said Company by such Judgment, to prosecute the said Writ of Error with Effect; and also if the said Judgment shall be affirmed, or the said Writ of Error be non-prossed, to satisfy and pay the Debt, Damages and Costs adjudged by the said Judgment, and all Costs and Damages to be awarded for Delay of Execution.

Proceedings in
Actions for Calls.

XIX. Provided always, and be it enacted, That if any Subscriber or Subscribers to the said Undertaking shall be minded and desirous to pay and advance immediately into the Hands of the said Committee, or of the Person or Persons whom they shall appoint to receive the same, the full Amount of his, her or their Subscription or Subscriptions for such Share or Shares for which he, she or they may have subscribed, or any Part thereof, without waiting for the said Call or Calls to be made, then, and in such Case, it shall be lawful for the said Committee to pay to the said Subscriber or Subscribers so paying in advance as aforesaid, out of the Funds of the said Com-

Committee may
allow Interest to
Proprietors on
Payment in Ad-
vance, and on
the Death of
Subscribers
before Shares
completed, their
Executors, &c.
may do it.

pany, Interest upon the Sum or Sums so advanced, at the Rate of Five Pounds *per Centum per Annum* upon the Amount which such Payment in Advance may be over and above the said Calls, and from the time of advancing the same up to the Period of such subsequent Call respectively, according to the Sum then in Advance, over and above the Amount of such Call; and that if any Owner or Owners, Proprietor or Proprietors of any Share or Shares in the said Undertaking, shall happen to die before such Call or Calls shall have been made for the full Sum or Sums to be advanced on any Share or Shares which he, she or they shall have been possessed of or entitled to, without having made Provision, by Will or otherwise, how and in what manner such Share or Shares shall be disposed of, or the Calls for the same paid, then, and in such Case, the Executor or Executors, Administrator or Administrators of every such Owner or Proprietor, so dying, or the Trustee or Trustees, Committee or Committees of any Lunatick or Lunatics, Guardian or Guardians of any Infant or Infants, or of any other Person or Persons entitled to the Estate and Effects of any such deceased Owner or Owners, Proprietor or Proprietors, shall be indemnified against all and every such Infant or Infants, and against all and every other Person or Persons whomsoever, for or on account of his, her or their having paid any Sum or Sums of Money, when called for as aforesaid, to complete every such Subscription; and if such deceased Owner or Owners, Proprietor or Proprietors, shall not have left Assets sufficient, or in case the Executor or Executors, Administrator or Administrators, Trustee or Trustees, Committee or Committees, Guardian or Guardians shall refuse or neglect to answer such Calls for the Space of Three Calendar Months, after Notice in Writing, signed by the Secretary of the said Company of Proprietors, shall have been given to him, her or them, or left at his, her or their last or usual Place or Places of Abode, the said Company of Proprietors shall be, and they are hereby authorized and required to admit any other Person or Persons to be an Owner or Owners, Proprietor or Proprietors of the Share or Shares of such deceased Owner or Owners, Proprietor or Proprietors, on condition that he, she or they so admitted do and shall, on or before such Admission, pay to the Executor or Executors, Administrator or Administrators of such deceased Owner or Owners, Proprietor or Proprietors, or to the Trustee or Trustees, Committee or Committees, Guardian or Guardians of the Infant or Infants or other Person or Persons who may be entitled to his, her or their Effects, the full Sum or Sums of Money which shall have been paid by such Owner or Owners, Proprietor or Proprietors in his, her or their Lifetime by virtue of any Call or Calls, or otherwise, upon such Share or Shares, or such other Sum or Sums of Money as the same can be sold for, and in case no Person or Persons shall be found who is or are willing to be admitted upon such Condition as aforesaid, then, and in every such Case, such Share or Shares shall be forfeited to and become vested in the rest of the said Company of Proprietors of the said Undertaking, in trust for and for the equal Benefit of all the rest of the said Proprietors, in proportion to their respective Interests in the said Undertaking, and shall be subject to be sold and disposed of in like manner as other forfeited Shares may be sold and disposed of by virtue of this Act.

Executors, &c.
refusing to
answer Call.

Or other Persons
admitted.

Shares forfeited.

Shares may
be sold.

XX. And be it further enacted, That it shall and may be lawful to

XXII. And, for the better Security of the several Proprietors of the said Undertaking as to their respective Shares therein, be it further enacted, That the said Company of Proprietors shall and they are hereby required, at their first, or as soon as conveniently may be,

	Names of Proprietors and Numbers of their Shares to be entered in a
at	

Book, and Certificates of the Number delivered to them.

Evidence.

General Saving.

Publick Act.

at some subsequent General Assembly to cause the Names and proper Additions of the several Persons who shall be then entitled to any Share or Shares in the said Undertaking, with the Number of Shares which they are then respectively entitled to hold, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book or Books to be kept by the Secretary to the said Company of Proprietors, and after such Entry made to cause their Common Seal to be affixed thereto; and shall also cause a Certificate or Instrument with the Common Seal of the said Company affixed thereto, to be delivered to every such Subscriber on Demand, specifying the Share or Shares to which he, she or they is or are entitled in the said Undertaking, or a Certificate for each separate and distinct Share in case any Proprietor, of more than one Share shall request the same, every such Proprietor paying to the Secretary One Shilling and no more, for every such Certificate or Instrument, and such Certificate or Instrument shall be admitted in all Courts whatever as Evidence of the Title of such Subscriber, his, her or their Executors, Administrators and Assigns, to the Share or Shares therein specified; but the Want of such Certificate or Instrument shall not hinder or prevent the Owner or Proprietor of any of the said Share or Shares from selling or disposing thereof; and in case any such Certificate or Instrument shall become defaced, worn out or damaged, or shall be ascertained to have been lost or destroyed, then, and in such Case, another Certificate shall be made out and entered by the Secretary on the same Terms and Conditions as aforesaid.

XXIII. Saving always to the King's Most Excellent Majesty, his Heirs and Successors, and to all and every other Person and Persons, Body and Bodies Politick and Corporate, his, her and their respective Heirs, Successors, Executors, Administrators and Assigns, all such Estate, Right, Title and Interest as they, every or any of them had and enjoyed of, in, to or out of the said late Theatre *Drury Lane*, or the Property thereunto belonging, or any Claims or Demands thereon before the passing of this Act, or could or might or ought to have had and enjoyed in case this Act had not been made.

XXIV. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded.

Cap. ccxv.

49 G. 3. c. clx.

An Act to alter and amend the *Lydney and Lidbrook Railway Act*, to vary certain Parts of the said Railway, and to extend the same from *Lidbrook* to *Bishop's Wood*, and from the *Lower Forge* to the *Cross Pill*; and for making a Basin and Canal to communicate with the River *Severn* at *Nass Point*. [21st June 1810.]

Cap. ccxvi.

An Act for establishing a Chapel of Ease at *Tremadoc*, in the Chapelry of *Tynysynhaiarn*, in the County of *Carnarvon*.

[21st June 1810.]

Cap. ccxvii.

An Act for removing one of the Trustees of the settled Estates and the other settled Property of the Reverend *Richard Burton Burton Phillipson*,

Phillipson, and for vesting the same in other Trustees; and for enabling the High Court of Chancery to appoint new Trustees.
(q. P.) [21st June 1810.]

Cap. ccxviii.

An Act for disafforesting the Forest of *South*, otherwise *East Bere* otherwise *Bier*, in the County of *Southampton*; and for inclosing the Open Commonable Lands within the said Forest.

[21st June 1810.]

• WHEREAS the King's Most Excellent Majesty, in Right
• of his Crown, is seized to himself, his Heirs and Successors, of the Forest of *South* otherwise *East Bere* otherwise *Bier*, in the County of *Southampton*, and also in his Demesne as of Fee of and in Two Districts or Divisions of Land there, commonly called *Purlicus* within the same; which Forest is of considerable Extent, and the Waste Lands within the same, exclusive of the inclosed Lands, are computed to contain about Eight thousand Acres, subject nevertheless to such Right of Common and other Rights as certain Persons called *Purlicu Owners*, and the Freeholders and Copyholders of Messuages, Lands and Tenements situate and being within the several Parishes, Townships, Hamlets or Places of *Soberton*, *Hambleton*, *Catherington*, *Blendworth*, *Bedhampton*, *Kingston*, *Portissae* otherwise *Portsea*, *Farlington*, *Wymering*, *Widley*, *Southwick*, *West Burbunt*, *Portchester*, *Wicor* and *Wickham*, in the said County of *Southampton*, or some of them, or the Tenants and Occupiers thereof for the time being, are entitled to, within, upon and over the said Forest: And whereas the said Forest is divided into Two Walks, one called *The East Walk*, and the other called *The West Walk*, within which are several smaller Districts or Divisions of Land, commonly called *Purlicus*, lying within the Regard of the said Forest, and appurtenant to Manors near and adjoining to the said Forest, besides the aforesaid Two Divisions belonging to His Majesty: And whereas His Majesty's said Demesne Lands consist of Three Parcels of Land, Two in the said East Walk, and One in the said West Walk, within the said Forest, and which do contain in the Whole, in Statute Measure, Nine hundred and twenty nine Acres and Fifteen Perches, or thereabouts, together with the several Lodges and other Buildings and Erections in and upon the said several Pieces or Parcels of Land, called or known by the names of *The West Lodge*, *The East* or *Creech Lodge*, and *Bulls Lodge*, and together also with all the Timber and other Trees, Wood and Underwood upon the same Pieces or Parcels of Demesne Land; and His Majesty is also intitled to the first Right of Feed and Pasturage over the whole Regard of the said Forest for the Vert and Feed of His Majesty's Deer: And whereas *Thomas Thistlethwayte* Esquire is Hereditary Warden of the said Forest, and in right thereof is entitled to certain Privileges and Patronage within and over the said Forest, to him, his Heirs and Assigns, so long as the same shall remain a Forest, upon certain Conditions expressed in the Grant of such Office: And whereas the said several other smaller Districts, called *Purlicus*, belong, or are claimed to belong, to the Right Reverend the Lord Bishop of *Winchester*, the Right Honourable Lord *Stawell*, the Right Honourable Lord Viscount *Powercourt*, the
• Right

41 G. 3. (U. K.)
c. 109.

Right Honourable the Earl of *Portsmouth*, the Warden and Scholars Clerks of *Saint Mary College of Winchester*, near *Winchester*, the said *Thomas Thistlethwayte*, the Reverend *Samuel Clarke Jervoise*; *Elizabeth Guitton* Widow, *Charles William Taylor* Esquire, *Sophia Lecke* Widow, *John Hornby* Esquire, *Paul Minchin* Esquire, *George Garnier* Esquire, *James Amyatt* Esquire, and other Persons, of different Extents and Proportions, as their own respective Demesne Estates, together with all the Timber and other Trees and Underwoods upon the same respectively; but subject to such Right of Feed for His Majesty's Deer, and to Common Rights as aforesaid: And whereas the Boundaries, Perambulation or Regard of the said Forest extend over the said several Parishes, Townships or Hamlets or Part thereof, of *Soberton*, *Hambledon*, *Catherington*, *Blendworth*, *Bedhampton*, *Kingston*, *Portissau* otherwise *Portsea*, *Farlington*, *Wymering*, *Witley*, *Southwick*, *West Burbunt*, *Portchester*, *Wicor* and *Wickham*, or some of them: And whereas an Act was passed in the Forty first Year of the Reign of His present Majesty, intituled, *An Act for consolidating in one Act certain Provisions usually inserted in Acts of Inclosure; and for facilitating the Mode of proving the several Facts usually required on the passing of such Acts*: And whereas the Waste Lands of the said Forest were heretofore of great Value and Utility from the Timber and Underwood thereon, which of late Years have been very much injured, and in many Parts totally destroyed, and the Soil thereof, in its present uncultivated State, is but of small Value, either to His Majesty or to the other Persons interested therein, but from its Contiguity to His Majesty's Dock Yard of *Portsmouth*, if the said Forest were disafforested and the Open Commonable Lands within the same were divided, allotted and inclosed, and if the present Demesnes of the Crown and the Allotment to the Crown, as hereinafter mentioned, were set apart for the Growth and Preservation of Wood and Timber, the same would be of great Benefit and Advantage to His Majesty and to the Publick in general, as well as to the several Persons having Property and Rights in the said Forest: And whereas it hath been stipulated by and between the Right Honourable the Lords Commissioners of His Majesty's Treasury, with the Advice of the Surveyor General of His Majesty's Woods, for and on Behalf of His Majesty and the said *Thomas Thistlethwayte*, and the said several Persons called *Purlicu Owners*, that the Consideration to His Majesty and to the said Warden for disafforesting the said Forest, and Loss of Privileges and Patronage as aforesaid, and obtaining His said Majesty's Consent, and the Consent of the said Warden to the passing this Act for the Purposes aforesaid, should be as follows, (*videlicet*); All those Pieces or Parcels of Land within the West Walk, one Piece whereof being Part and Parcel of the District commonly called the *Purlicu* belonging to the Earl of *Portsmouth*, within the said Walk, containing One hundred Acres, abutting North on the said Demesne Lands of the Crown, within the said West Walk, South on the Allotment next hereinafter mentioned, East on the Land called the *Purlicu* of the Earl of *Portsmouth*, and West upon the said Demesne Lands of the Crown in Part, and in other Part on the same next hereinafter mentioned Allotment; one other Piece, containing One hundred and fifty Acres, being Part and Parcel of the Land called

• called the *Purlieu* of the said *George Garnier*, abutting North in
 • Part on the same Demefne Lands of the Crown, and in other Part
 • on the said last mentioned Allotment, South on the Land called the
 • *Purlieu* of the said Lord Viscount *Powerscourt*, East on the Land
 • called the *Purlieu* of the said Earl of *Portsmouth*, and West on
 • the Land called the *Purlieu* of the said *George Garnier*; and also
 • all those Pieces or Parcels of Land in the East Walk, one Piece
 • whereof being Part and Parcel of the Land called the *Purlieu* be-
 • longing to the See of *Winchester*, in the said East Walk, contain-
 • ing Two hundred and thirty five Acres and Thirty seven Perches,
 • abutting North and East on the said Land called the *Purlieu* be-
 • longing to the said See of *Winchester*, South on the Land called
 • the *Purlieu* of the said *Thomas Thistlethwayte*, and West on the
 • said Demefne Lands of the Crown in the said East Walk; one
 • other Piece, being Part and Parcel of the Land called the *Purlieu*
 • of the said *Thomas Thistlethwayte* in the said East Walk, contain-
 • ing Fourteen Acres Three Roods and Three Perches, abutting
 • North on the said Demefne Lands of the Crown, South on the
 • Land called the *Purlieu* of the said *Thomas Thistlethwayte*, East
 • on the said last mentioned Allotment, and West on the Land called
 • the *Purlieu* of the said *Thomas Thistlethwayte*; and all those Two
 • Pieces or Parcels of Land in the said East Walk, one Piece whereof
 • being Part and Parcel of and belonging to the Land called the
 • *Purlieu* of the said See of *Winchester*, in the said East Walk, con-
 • taining Seventy-three Acres, and bounded as follows, on the North
 • by the Land called the *Purlieu* of the said *John Hornby*, on the
 • South by the Land called the *Purlieu* of the said *Thomas Thistleth-*
 • *wayte*, on the East by inclosed Lands at *Hipley*, and on the West
 • in Part by the inclosed Lands of the said *Thomas Thistlethwayte*,
 • and in other Part by the inclosed Lands of the said *John Hornby*,
 • and the other Piece, being Part and Parcel of the Land called the
 • *Purlieu* of the said *John Hornby*, containing Twenty seven Acres,
 • bounded on the North by the Land called the *Purlieu* of the said
 • *John Hornby*, South upon the said last mentioned Allotment, East
 • upon the said last mentioned Land called the *Purlieu* of the See of
 • *Winchester*, and West upon the Land called the *Purlieu* of the said
 • *Thomas Thistlethwayte*; which said several Pieces or Parcels of
 • Land contain together Six hundred Acres: But inasmuch, how-
 • ever, as the said Forest cannot be disafforested, nor the other
 • Purposes before mentioned effected, without the Aid and Au-
 • thority of Parliament: May it therefore please Your Majesty
 that it may be enacted; and be it enacted by the King's Most Ex-
 cellent Majesty, by and with the Advice and Consent of the Lords
 Spiritual and Temporal, and Commons, in this present Parliament as-
 sembled, and by the Authority of the same, That *Thomas Bain-*
bridge, of *Guildford Street*, in the Parish of *Saint Pancras*, in the
 County of *Middlesex*, Gentleman, *William Pearce*, of *Craig's Court*,
 in the City and Liberty of *Westminster*, Gentleman, and *George*
Barnes, of *Andover*, in the County of *Hants*, Land Surveyor, and
 their Successors, to be nominated or appointed in manner hereinafter
 mentioned, shall be and they are hereby appointed Commissioners
 for dividing, allotting and inclosing all the Open Commonable
 Lands and Grounds within the said Forest, except the Six hun-
 dred Acres hereinbefore mentioned and described, and for carrying
 into

Commissioners.

41 G. 3. (U. K.)
c. 109.

For appointing
new Commis-
sioners.

into Execution the several other Purposes of this Act, in such manner as is hereinafter provided or mentioned, and with such of the Powers, and subject to such of the Rules, Orders, Regulations, Restrictions and Provisions contained in the said recited Act of the Forty first Year of the Reign of His present Majesty as are not varied, altered or otherwise provided for by this Act; And that all Acts, Matters or Things authorized or necessary to be done and executed by the said Commissioners for effecting the Purposes aforesaid, may be done and executed by any Two of them, and the same shall be as valid and effectual as if such Acts, Matters and Things had been done and executed by all the Commissioners herein nominated and appointed.

II. And be it further enacted, That in case the said *William Pearce*, or any Person to be nominated or appointed a Commissioner in his Room or Stead by virtue of this Act, shall die, refuse to act, or become incapable of acting as such Commissioner in the Execution of the said recited Act and this Act, then, and in such Case, it shall and may be lawful to and for the said Lord Bishop of *Winchester* for the time being, and the Warden and Scholars Clerks of *Saint Mary College*, of *Winchester*, near *Winchester*, and their Successors for the time being, by any Writing under their Common Seals, within One Month after such Death, Refusal or Incapacity as aforesaid shall be made known to them, by Notice in Writing, signed by any of the said Commissioners, to be left at the usual Place of Abode of the said Lord Bishop and at the said College, to nominate and appoint a proper Person (not interested in the said intended Division and Inclosure) to be a Commissioner in the Room or Stead of the said *William Pearce*, or of such other Person nominated or appointed in his Room or Stead so dying or refusing or becoming incapable to act as aforesaid, and so from time to time, as often as any Commissioner to be nominated and appointed by the said Lord Bishop and the said Warden and Scholars Clerks as aforesaid, shall die, refuse, neglect or become incapable to act as such Commissioner in the Execution of the said recited Act and this Act; and in case the said *Thomas Bainbridge*, or any Person to be nominated and appointed a Commissioner in his Room or Stead, by virtue of this Act, shall die, refuse, neglect or become incapable to act in the Execution of this Act and of the said recited Act, then, and in every such Case, it shall and may be lawful to and for the several Persons commonly called *Purieu Owners*, interested in the Lands and Grounds to be divided, allotted and inclosed by virtue of this Act, or the major Part of them (other than and except the Lord Bishop of *Winchester* for the time being and the said Warden and Scholars Clerks) who shall attend by themselves or by their Agents or Proxies at a Meeting to be holden for that Purpose at the *Golden Lion* in *Southwick* aforesaid, (of which Meeting Fourteen Days Notice at the least and of the Purpose thereof shall be given by Advertisement, signed with the Name or Names of any One or more of the said Commissioners, in the *Salisbury*, *Portsmouth* and *Winchester Journals*, if then published, and if not, then in some other Newspapers printed or circulated in the said County of *Southampton*) to nominate, elect, and appoint by any Instrument in Writing under their Hands or under the Hands of their Agents or Proxies, some fit and proper Person (not interested in the said Division and Inclosure) to be a Commissioner in the Room or

or Stead of the said *Thomas Bainbridge* or of such other Person nominated and appointed in his Room or Stead, so dying or refusing or becoming incapable to act as aforesaid, and so from time to time as often as any Commissioner to be nominated and appointed by such *Purlien Owners* shall die, refuse or become incapable to act as such Commissioner in the Execution of the said recited Act and this Act; and in case the said *George Barnes*, or any Person to be nominated and appointed by virtue of this Act a Commissioner in his Room or Stead, shall die or refuse to act, or become incapable of acting in the Execution of this and the said recited Act, then; and in every such Case, the major Part in Value (such Value to be ascertained according to the Land Tax Assessment for that Year) of the Owners and Proprietors of Land and Hereditaments within the said several and respective Parishes and Places entitled to any Right of Common in, over or upon the said Commonable Lands and Grounds (other than and except the said Lord Bishop of *Winchester*, and the said Warden and Scholars Clerks, and their Successors and Persons commonly called *Purlien Owners*, to whom other Powers of Nomination are hereinbefore given, and their respective Heirs, Successors and Assigns) who shall be present in Person, or by their respective Agents or Proxies duly authorized for such Purpose, at a Meeting to be holden for that Purpose, of which Meeting Fourteen Days Notice by Advertisement shall be given by any Five or more of such Owners and Proprietors in the *Salisbury, Portsmouth and Winchester Newspapers*; if then published, and if not, then in some other Newspapers circulated in the said County of *Southampton*, shall and they are hereby required to nominate and appoint, by any Writing under the Hands of the major Part in Value of them the said Owners and Proprietors and Agents or Proxies aforesaid, a proper Person or Persons (not interested in the said Division and Inclosure) to be a Commissioner in the Room or Stead of the said *George Barnes*, or of such other Person to be nominated and appointed in the Room or Stead of him so dying, or refusing to act or becoming incapable of acting as aforesaid, and so from time to time as often as any such Case or Cases shall happen; and every Commissioner so to be nominated and appointed shall, after taking and subscribing the Oath prescribed in that behalf, have the like Power and Authority, for carrying the said recited Act and this Act into Execution, and shall be subject and liable to the like Rules, Regulations and Restrictions as if he had been originally nominated a Commissioner in and by this Act.

III. Provided always, and be it enacted, That if the said Lord Bishop of *Winchester*, and the said Warden and Scholars Clerks for the time being, or the said Persons commonly called *Purlien Owners*, or the said Proprietors of Lands and Hereditaments, either or any of them respectively, shall make Default in nominating and appointing any new Commissioner, so directed to be nominated and appointed by him and them respectively as aforesaid, within the respective times for that Purpose limited and in manner aforesaid, then, and in every such Case, it shall and may be lawful to and for the surviving or remaining Commissioners or Commissioner, and they and he are and is hereby required from time to time, by Writing under their Hands or his Hand, within One Month next after the Expiration of such respective Times so allowed for nominating and appointing such new and succeeding Commissioners as aforesaid, to nominate and appoint

If *Purlien Owners, &c.* neglect to appoint new Commissioners within the prescribed time, the acting Commissioners to make such Appointment.

appoint a proper Person (not interested in the said Division and Inclosure) to be a Commissioner in the Room or Stead of every such Commissioner so dying, refusing or becoming incapable to act as aforesaid; and every Commissioner so nominated and appointed shall, after taking and subscribing the Oath prescribed in that behalf, have the like Power and Authority for carrying the said recited Act and this Act into Execution, and shall be subject and liable to the like Rules, Regulations and Restrictions, as if he had been originally nominated a Commissioner in and by this Act.

Commissioners neglecting to attend Meetings considered as a Refusal to act.

IV. Provided also, and be it enacted, That if any of the said Commissioners hereby nominated, shall refuse or neglect to attend at the first Meeting appointed to be holden for carrying this Act into Execution, and duly qualify himself by taking and subscribing the Oath prescribed in that Behalf, or if any of the said Commissioners shall at any time after the said first Meeting wilfully absent himself from any Three following successive Meetings appointed to be holden by virtue of this Act, or having been absent from Two successive Meetings, shall not attend during the whole of the Third or next succeeding Meeting, such Meetings being known to him, either by his being present at the Appointment thereof or Notice thereof in Writing having been given to him or left at his last or usual Place of Abode by the Clerk or Clerks to the said Commissioners, and such Commissioner not having been prevented by Sickness or other reasonable Cause, to be allowed by the other Commissioners, from attending or continuing at such Meetings; or if any Commissioner to be nominated and appointed in manner by this Act directed shall not attend and qualify himself to act as a Commissioner in the Execution of this Act, at the First Meeting of the said Commissioners after his Nomination or Appointment, or shall thereafter wilfully absent himself from Three following successive Meetings to be holden by virtue of this Act, or having been absent from Two successive Meetings shall not attend during the Whole of the Third or next succeeding Meeting, such Meetings being known to him, either by his being present at the Appointment thereof or Notice thereof in Writing having been given to him, or left at his last or usual Place of Abode by the Clerk or Clerks to the said Commissioners, and such Commissioner not being prevented by Sickness or other reasonable Cause, to be allowed by the other Commissioners, from attending or continuing at such Meetings; then and in every of such Cases such Absence or Non-attendance shall be deemed and taken to be a Refusal to act within the Intent and Meaning of this Act.

A Surveyor or Surveyors to be appointed.

V. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and required, as soon as conveniently may be after the passing of this Act, by Writing under their Hands and Seals, to nominate and appoint some fit and proper Person or Persons (not interested in the said intended Division and Inclosure) to be a Surveyor or Surveyors for the Purpose of viewing, surveying and measuring the said Open Commonable Lands and Grounds, and such Surveyor or Surveyors is and are hereby accordingly authorized and directed, as soon as conveniently may be after such Nomination and Appointment, to view, survey and measure the Buildings and Encroachments whatsoever made in and upon the same, and to describe and lay down the same by way of Map or Plan, whereon or in a Book of Reference to be annexed

annexed thereto shall be set forth the Number of Acres and Decimal Parts of an Acre of the said Parlious or Open Commonable Lands and Grounds, and the several Buildings and Encroachments made thereon, and of what such Encroachments respectively consist, and the Names of the several Persons holding and enjoying the same; and that when and so soon as the said Surveyor or Surveyors shall have finished and completed the said Survey, Map or Plan, he or they shall by Notice in Writing under his or their Hand or Hands apprise the said Commissioners thereof, and appoint a time and Place for a Meeting with them, of which Fourteen Days previous Notice at the least shall be given unto each of the said Commissioners, at which Meeting the said Surveyor or Surveyors shall deliver unto the said Commissioners present at such Meeting his or their Survey and Plan and Book of Reference, and shall subscribe the same with his or their Name or Names in the Presence of the said Commissioners, who shall attest the same; and the said Surveyors shall take and subscribe the following Oath; that is to say,

Survey to be delivered to the Commissioners and certified on Oath.

‘ I *A. B.* do swear, That by virtue and in pursuance of an Act of Oath.

‘ Parliament made in the Fiftieth Year of the Reign of King
 ‘ *George* the Third, intituled, “ *An Act for disafforesting the Forest*
 ‘ *of South otherwise East Bere otherwise Bier, in the County of South-*
 ‘ *ampton; and for inclosing the Open Commonable Lands within the*
 ‘ *said Forest;*” I have taken a true and exact Admeasurement and
 ‘ Survey of Part of the Open Commonable Lands and Grounds
 ‘ directed by the said Act to be inclosed, and of all the Buildings
 ‘ and Encroachments whatsoever made in and upon the same, to
 ‘ the best of my Judgment and Ability; and that the Survey, Map
 ‘ or Plan, and Book of Reference, whereunto I have now set my
 ‘ Hand, are and do contain a just and true Description, Survey and
 ‘ Admeasurement and Account of such Part of the said Open Com-
 ‘ monable Lands and Grounds, and of all the Buildings and En-
 ‘ croachments in and upon the same, with the Names of the several
 ‘ Persons holding and enjoying the same respectively, and that the
 ‘ same were made and taken by me according to the best of my
 ‘ Knowledge, Information and Belief, and the true Intent and
 ‘ Meaning of the said Act, without Favour, Affection or Partiality,
 ‘ to any Person or Persons: And I do further swear, that I will
 ‘ faithfully, impartially and honestly, according to the best of my
 ‘ Skill and Judgment, execute the several other Trusts reposed in
 ‘ me as a Surveyor by virtue of the said Act, without Favour or
 ‘ Affection, Prejudice or Partiality, to any Person or Persons whom-
 ‘ soever.
 ‘ So help me GOD.’

Which Oath it shall and may be lawful to and for any One or more of the said Commissioners to administer; and the said Oath when so taken shall be written on Parchment, and subscribed by the said Surveyor and duly attested by the said Commissioners under their Hands, and shall be inrolled with the Award to be made by the said Commissioners.

VI. Provided always, and be it enacted, That in case the said Surveyors so to be appointed as aforesaid or either of them, or any other Surveyor or Surveyors to be appointed as hereinafter mentioned, shall die or refuse or neglect to act or become incapable of acting in the Execution of the said recited Act and this Act, then,

For electing new Surveyors in case of Death.

and in every such Case, it shall and may be lawful to and for the said Commissioners, by Writing under their Hands and Seals, to nominate and appoint some other fit and proper Person (not interested in the said Division and Inclosure) to be a Surveyor in the Room or Stead of every Surveyor so dying, refusing or neglecting to act or becoming incapable of acting in the Execution of the said recited Act and this Act; and every Surveyor so nominated and appointed shall have the like Powers and Authorities, and shall be subject and liable to the like Rules, Regulations and Restrictions as if he had been originally appointed a Surveyor by virtue of this Act.

Surveyor to make
Plans, &c.

VII. And be it further enacted, That as soon as conveniently may be the said Surveyor shall proceed to make an accurate Survey and Plan as well of all Messuages, Cottages and Scites thereof as of all Lands and Grounds in whatsoever Manor, Parish, Township, Hamlet or Place the same are situate, in respect whereof the Owners or Occupiers of the same respectively are entitled to a Right of Commonage upon the Open Commonable Lands and Grounds to be inclosed by virtue of this Act or any Part thereof (save and except such Lands and Grounds as have been already surveyed and are hereafter directed not to be again surveyed or planned) and shall enquire and find out and in and by the Survey and Plan thereof, and in a Book of Reference to the same, set forth a minute and exact Account of all and singular the Premises so surveyed, and the Quantity and Contents of each several Field, Inclosure, and Parcel of Land thereof, with the Names of all and every the Owners and Occupiers thereof, respectively, thereby distinguishing such of the Premises as are of Freehold Tenure from such as are of Copyhold or Customary or Leasehold Tenures, and of what particular Manors or Lordships or Persons the said Copyhold or Customary or Leasehold Tenements are severally and respectively holden.

Proprietors pro-
ducing approved
Surveys, &c.
already made,
to be allowed
for them.

VIII. And be it further enacted, That it shall and may be lawful for any Person or Persons having in his, her or their Custody or Possession any actual Surveys, Maps or Plans of any of the Lands called *Purlicus*, or of any of the Lands or Grounds in respect whereof the Owners or Occupiers of the same are entitled to Rights of Common, to produce and deliver such Surveys, Maps and Plans to the said Commissioners at such time or times as they shall appoint for that Purpose; and the said Commissioners thereupon shall enquire on the Oath as well of the Person or Persons producing and delivering such Surveys, Maps and Plans respectively as of such other Person or Persons as they shall think fit, (which Oath the said Commissioners are hereby authorized to administer) into the Authenticity and Accuracy of every of such Survey, Map and Plan; and in all Cases where the said Commissioners shall be satisfied that such Surveys, Maps and Plans are authentic and have been accurately made, and will answer the Purpose of a new Survey (but not otherwise) they the said Commissioners shall deliver the same over to the said Surveyors, with Directions to insert and copy the same into the Surveys of the Lands called *Purlicus*, or of the Lands the Owners or Occupiers whereof are entitled to any Right of Common, instead of making a new Admeasurement and Plan of the Lands and Grounds so comprised and described in the Maps and Plans aforesaid; and that the said Commissioners shall allow, pay and satisfy for such approved Surveys, to the Person or Persons to whom the same shall be-
long,

long, such Sum and Sums of Money as the said Commissioners shall think proper, out of the Monies to be raised by them for the Purposes of this Act.

IX. And be it further enacted, That out of the Money which shall be raised for defraying the Expences of obtaining, passing and executing this Act, the said Commissioners and Clerks to the said Commissioners who shall act in the Execution of the Trusts and Powers of this Act, shall be paid the Sum of Three Guineas each, for each Day he or they shall be attending in and about the Execution thereof, and in travelling to and from the Meetings necessary for that Purpose, the same to include and be in Satisfaction of all Costs and Expences in travelling and otherwise, which he or they shall be put to in executing the same; and that the Surveyors shall be paid and allowed for their Pains and Trouble such Sum or Sums of Money as the Commissioners shall think just and reasonable; and that every Proprietor, Attorney and Agent who shall attend the said Commissioners at any of their Meetings to be held in pursuance of this or the said recited Act, shall pay his own Expences at all such Meetings; and in such Cases as the Objection or Approbation of the Proprietors of any Act, Matter or Thing to be done or proposed to be done in pursuance of the said recited Act and this Act, is directed to be made and testified at any Meeting or Meetings, it shall be lawful for the Proprietors to attend such Meeting or Meetings by their respective Agents or Proxies, whose Acts or Votes shall be as effectual as if such Proprietors were present in Person.

Compensation for Commissioners, Clerks, and Surveyors.

X. And be it further enacted, That the First Meeting of the said Commissioners for putting this Act into Execution shall be held at the House known by the Sign of the *Golden Lyon* at *Southwick* aforesaid, on the Second Day of *July* next, or as soon after as Circumstances will admit; and that the said Commissioners shall cause Notice in Writing to be affixed upon each of the principal outer Doors of the several Churches or Chapels of *Seaberton*, *Hambleton*, *Catherington*, *Blendworth*, *Bedhampton*, *Kingston*, *Portissae* otherwise *Portsea*, *Farlington*, *Wymering*, *Wydney*, *Southwick*, *West Burbant*, *Portchester*, *Wicor* and *Wickham*, and also a like Notice by Advertisement to be inserted in the *Salisbury*, *Portsmouth* and *Winchester* Journals, if then published, and if not, then in some other Newspapers usually circulated in the said County, of the Time and Place of their first and every future Meeting (Meetings by Adjournment only excepted) for the Execution of the Powers hereby and by the said recited Act vested in them, Eight Days at least before the times appointed for such respective Meetings; and in case only One of the said Commissioners shall meet at the Time and Place appointed for any Meeting or to which any Meeting shall be adjourned, it shall be lawful for such Commissioner, and to and for the Clerk or Clerks to the said Commissioners, in case none of the said Commissioners shall attend, to adjourn the said Meeting to be holden on any future Day, not exceeding Twenty one Days from the Day of Adjournment, at the same or some other convenient Place within Eight Miles of the said Forest, and the Commissioners or Clerk or Clerks making such Adjournment is and are hereby required to give timely Notice thereof to the absent Commissioners.

Meetings and Notices thereof.

XI. And be it further enacted, That all other Publick Notices requisite or necessary to be given by the said Commissioners shall be

Other Notices how to be given.

given by Advertisement to be inserted in the said *Salisbury, Portsmouth and Winchester Journals*, if then published, and if not, then in some other Newspapers usually circulated in the said County of *Southampton*.

For shortening
Boundary
Fences.

XII. And be it further enacted, That if the said Commissioners shall deem it expedient or proper to shorten the Boundary Fences between the Lands and Grounds by this Act directed to be divided, allotted and inclosed, in the said respective Parishes, Townships, Hamlets or Places, and any Parish or Parishes adjoining thereto, or to make the same Boundary Fences regular, it shall be lawful for the said Commissioners (with the Consent in Writing under the Hand or Hands of the Lord or Lords of the Manor or Manors in which the Land is situate, and of the Owner or Owners of the said Land upon which any Fence or Fences shall or may be intended to be made) to set out the Boundary or Boundaries between the Lands by this Act directed to be divided, allotted and inclosed, and any adjoining Parish or Parishes, in such manner as they shall think proper for the Purposes aforesaid; and after such Boundary or Boundaries shall be so set out as aforesaid, the same shall be fenced by such Person or Persons in such manner and at such Time or Times as the said Commissioners in and by their Award shall order and direct, and the same shall for ever thereafter as between such Lord or Lords of Manors and Owner or Owners of Lands, be deemed and taken to be the Boundary or Boundaries between the said respective Parishes, Townships, Hamlets or Places, and such adjoining Parish or Parishes; any Law, Custom or Usage to the contrary thereof in any wise notwithstanding.

Claims of Rights
to be produced.

XIII. Provided always, and be it enacted, That all Persons having or claiming any Estate or Interest in or upon the Lands and Grounds hereby directed to be divided, allotted and inclosed, shall by themselves or their Agents deliver their respective Claims in Writing to the said Commissioners, at a Meeting to be holden for that Purpose, in manner directed by the said recited Act of the Forty first Year of the Reign of His present Majesty, of which Meeting Twenty one Days Notice in Writing under the Hands of the said Commissioners, expressing the Purpose of such Meeting, shall be given in the Manner hereinbefore directed.

Power for Com-
missioners to set-
tle Disputes.

XIV. And be it further enacted, That in case any Dispute or Difference shall arise between any of the Parties interested or claiming to be interested in the said intended Division and Inclosure, touching or concerning the respective Rights and Interests which they or any of them shall have or claim to have in the same, or touching or concerning any other Matter or Thing relating to the said Division and Inclosure, it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered to examine into, hear and determine the same respectively: Provided always, that nothing herein contained shall authorize the said Commissioners to determine the Title to any Messuages, Lands, Tenements or other Hereditaments whatsoever, but they shall assign and set out the several Allotments directed to be made unto the Person or Persons having the actual Seisin or Possession of the Messuages, Lands, Tenements or Hereditaments, in right or respect whereof such Allotment shall be made.

Commissioners
not to determine
Title to Estates.

Power to assess
Costs relative to

XV. And be it further enacted, That in case the said Commis-
sioners

Commissioners shall, upon the Hearing and Determination of any Claim or Claims, Objection or Objections to be delivered to them in pursuance of this or of the said recited Act, see cause to award any Costs, then, and in such Case, it shall and may be lawful to and for the said Commissioners and they are hereby empowered, upon Application made to them for that Purpose, to settle, assess and award such Costs and Charges as they shall think reasonable, to be paid either to the publick Account for or towards the Expence occasioned in or relating to the investigating, settling and determining of such Claim or Claims if finally disallowed, or to the Party or Parties in whose Favour any Determination of the said Commissioners shall be made, by the Person or Persons, or Body or Bodies Politick, Corporate or Collegiate, whose Claim or Claims, Objection or Objections shall be thereby disallowed or over-ruled; and in case the Person or Persons, or Body or Bodies Politick, Corporate or Collegiate, who shall be liable to pay such Costs and Charges, shall neglect or refuse to pay the same on Demand, then, and in every such Case, it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and required by Warrant under their Hands directed to any Person whomsoever, to cause such Costs and Charges to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons, or Body or Bodies Politick, Corporate, or Collegiate, so neglecting or refusing to pay the same, rendering the Overplus (if any) upon Demand to the Person or Persons, or Body or Bodies Politick, Corporate or Collegiate, whose Goods and Chattels shall have been so distrained and sold, after deducting the Costs and Charges attending such Distress and Sale.

XVI. And be it further enacted, That in case any Person or Persons, Body or Bodies Politick, Corporate or Collegiate, interested or claiming to be interested in the said intended Division and Allotments, shall be dissatisfied with any Determination of the said Commissioners touching or concerning any Claim or Claims of the Right to the Soil of the said Open Commonable Lands and Grounds or any Part or Parts thereof, or of any Rights of Common or other Rights or Interests whatsoever, in, over or upon the Lands and Grounds hereby directed to be divided, allotted, or inclosed, or any Part or Parts thereof, then, and in every such Case, it shall be lawful for the Person or Persons, Body or Bodies Politick, Corporate or Collegiate so dissatisfied, to proceed to a Trial at Law of the Matter so determined by the said Commissioners at the then next Assizes, or at the Assizes following the next to be holden for the said County of *Southampton*; and for that Purpose the Person or Persons, Body or Bodies Politick, Corporate or Collegiate, who shall be so dissatisfied with the Determination of the said Commissioners, shall cause an Action to be brought upon a feigned Issue against the Person or Persons in whose Favour such Determination shall have been made, or against the said Commissioners, if the Subject of their Determination shall be of such a Nature as will affect the Persons in general interested in the said Open Commonable Lands and Grounds, or within Three Calendar Months next after such Determination or Order of the said Commissioners shall be made; and the Defendant or Defendants in such Action or Actions shall and he, she or they is and are hereby required to name an Attorney or Attornies, who shall appear thereto, or file Common Bail, and accept One or more Issue or Issues whereby

Parties may try
their Rights by
an Issue at Law.

such Claim or Claims and the Right or Rights thereby insisted on may be tried and determined, such Issue or Issues to be settled by the proper Officer of the Court in which the said Action or Actions shall be commenced, in case the Parties shall differ about the same; and the Verdict or Verdicts which shall be given in such Action or Actions shall be binding, final and conclusive upon all and every Person and Persons whomsoever, Body and Bodies Politick, Corporate or Collegiate, unless the Court wherein such Action or Actions shall be brought shall set aside such Verdict or Verdicts, and order a new Trial to be had therein, which it shall be lawful for the Court to do as is usual in other Cases; and after such Verdict or Verdicts shall be obtained, and not set aside by the Court, the said Commissioners shall, and they are hereby required to act in conformity thereto, and to allow or disallow the Claim or Claims thereby determined according to the Event of such Trial or Trials in which the said Commissioners shall be Defendants; the Costs and Charges payable by the said Commissioners in such Action or Actions shall be paid and discharged out of the Monies to be raised by them for the Purposes of this Act.

Or Determina-
tion of Commis-
sioners to be
final.

XVII. Provided always, and be it enacted, That the Determination of the said Commissioners touching such Claim or Claims of Right to the Soil of the said Open Commonable Lands and Grounds, or of any Rights of Common, or other Rights or Interests in, over, or upon the Lands and Grounds hereby directed to be divided, allotted, and inclosed, or any Part thereof, shall, (in case such Determination shall not be so objected to, or being objected to, such Action or Actions at Law shall not be brought and proceeded in within the Time and in Manner herein for that Purpose mentioned) be final and conclusive upon all and every Person and Persons, Body and Bodies Politick, Corporate and Collegiate.

In case of Death
of Parties before
Actions brought,
the same to be
carried on and
defended in their
Names.

XVIII. Provided always, and be it further enacted, That if any Person or Persons in whose Favour any such Determination as aforesaid shall have been made, and against whom any Action or Actions might have been brought if living, shall die before any such Action or Actions shall have been brought and before the Expiration of the time hereinbefore limited for bringing such Action or Actions, it shall be lawful for the Person or Persons, Bodies Politick, Corporate or Collegiate, who might have brought such Action or Actions against the Person or Persons so dying, to bring the same within the time so limited as aforesaid, against such Person or Persons as if actually living, and to serve the Clerk or Clerks to the said Commissioners with Process for commencing such Action or Actions, in the same manner as the Party or Parties might have been served therewith if living; and it shall thereupon be incumbent on the Heir or Heirs, or other Person or Persons who shall claim the Benefit of such Determination as aforesaid, to appear and defend such Action or Actions in the Name or Names of the Person or Persons so dead, and Proceedings shall be had therein in the same manner as if such Person or Persons had been actually living; and the Rights of all Parties shall be equally bound and concluded by the Event of such Action or Actions.

Persons in Pos-
session not to
be molested
without due
Course of Law.

XIX. Provided also, and be it further enacted, That nothing in this Act contained shall extend to enable the said Commissioners to determine any Right between any Parties contrary to the Possession of

of any of such Parties (except in Cases of Encroachment); but in case the said Commissioners shall be of Opinion against the Right of the Person or Persons so in Possession, they shall forbear to make any Determination thereupon until the Possession shall have been given up by or recovered from such Person or Persons by Ejectment or other due Course of Law.

XX. Provided always, and be it enacted, That no such Difference, Dispute or Proceeding, touching the Title to any Lands, Tenements or Hereditaments, shall impede or delay the said Commissioners in the Execution of this Act, but the Division or Inclosure hereby directed to be made, shall be proceeded in notwithstanding any such Difference, Suit or Proceeding; and the said Commissioners shall, by proper Marks and Bounds, set out the Lands and Grounds which shall be allotted in lieu of such litigated Property, so that the same may be distinguished from any other Lands and Grounds, and may be had and taken by the Person or Persons, Body or Bodies Politick, Corporate or Collegiate, who upon the Determination of such Difference or Suit shall be entitled to the same.

Trial not to suspend the Execution of the Powers of the Act.

XXI. Provided nevertheless, and be it enacted, That nothing herein contained shall extend to preclude the said Commissioners from adjudging and determining the Quantity and Value of the Land, in virtue whereof any Person or Persons shall be allowed to have a Right of Common upon the said Open and Commonable Lands and Grounds hereby directed to be divided, allotted or inclosed, or any Part thereof, but the said Commissioners shall and they are hereby authorized to adjudge and determine the Quantity and Value of all and every such Lands respectively, and rate and estimate the same as to them shall seem just and reasonable, according to the real Value thereof for the Purposes of Husbandry, without regard to any artificial or extraordinary Value arising from local, temporary or other peculiar Advantages; and such their Judgment and Determination shall be binding and conclusive upon all Parties whomsoever: Provided also, that nothing herein contained shall extend to authorize the said Commissioners or any of them to consider any ancient Messuage or Building, or Scite thereof, in respect of which any Right of Common shall be allowed, at any more or greater Value than any other ancient Messuage or Building, or Scite thereof, but the said Commissioners shall rate and estimate all ancient Messuages and Buildings and Scites thereof at an equal Value one with another, and at such Value as they shall think most expedient.

Commissioners may adjudge Quantity and Value of Lands, &c. but all ancient Messuages considered of equal Value.

XXII. And be it further enacted, That if any Person or Persons, Body or Bodies Politick, Corporate or Collegiate, shall consider himself, herself or themselves prejudiced or aggrieved by the Determination of the said Commissioners, respecting the Limits or Boundaries of any Parish, Manor, Township, Hamlet, District or Place upon the said Open and Commonable Lands and Grounds hereby directed to be divided, allotted and inclosed, or of any Parish, Manor, Township, Hamlet, District or Place adjoining thereto, as the same shall be set out and ascertained by the said Commissioners, pursuant to the said recited Act of the Forty first Year of the Reign of His present Majesty, and shall by Writing under their, his or her Hands or Hand give Notice to the said Commissioners, within One Calendar Month next after such Determination, of his, her or their Desire to have the same determined by an Issue at Law, instead of

Trial of Parochial Boundaries by an Issue at Law instead of Appeal to Quarter-Sessions.

an Appeal to the Quarter-Sessions, under the Provision of the last recited Act, then, and in such Case, it shall be lawful for the Person or Persons, Body or Bodies Politick, Corporate or Collegiate, so dissatisfied with such Determination, to have the same ascertained by Trial of an Issue at Law under the Provisions of this Act in case of any disputed Right or Claim.

Taking Turf.

XXIII. And be it further enacted, That if any Person or Persons shall dig, cut or take away any of the Turf, Bushes, Underwood or Soil of the Lands or Grounds to be inclosed by virtue of this Act, for any Use or Purpose whatsoever, or under any Right, Privilege or Claim or Pretence of Right, Privilege or Claim whatsoever (other than and except the said Persons called *Purlicu Owners*, or Owners of Soil respectively, for the Purpose of digging or searching for, and carrying away any Gravel or Stone for the Repair of Roads) then, and in every such Case, on due Proof made before the said Commissioners on Oath; which Oath the said Commissioners are hereby empowered to administer, the said Commissioners shall and they are hereby required, by Warrant under their Hands and Seals, directed to any Person or Persons whomsoever, to cause any Sum or Sums of Money, not exceeding Five Pounds, to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so offending in the Premises, rendering the Overplus (if any) on Demand to the Person or Persons whose Goods and Chattels shall be so distrained and sold, after deducting the Costs and Charges attending such Distress and Sale; and the Money so to be levied as aforesaid shall be applied towards the Payment of the Costs, Charges and Expences of obtaining and executing this Act.

Penalty.

Persons who have enjoyed Commonage for Twenty Years, considered to have a Right of Common.

XXIV. And be it further enacted, That if any Person or Persons, being Owner or Owners of any Messuages, ancient Buildings or Scites thereof, Lands or Tenements, in whatsoever Manor, Parish, Township, Hamlet, District or Place the same are situate, the Owners or Occupiers whereof for the time being, have for Twenty Years last past had and actually enjoyed any Right or Rights of Common, upon the said Open and Commonable Lands and Grounds to be divided, allotted and inclosed, by virtue of this Act, or any Part or Parts thereof respectively, for or in respect of such Messuages, ancient Buildings, Scites, Lands or Tenements respectively, (save and except any Right of Common by Vicinage) shall be deemed and taken to have in respect of such their Estates, a Right of Common upon the said Open Commonable Lands and Grounds, or the Part or Parts thereof to which such Usage shall have extended, without shewing any other Title than such Usage, and be entitled to have an Allotment or Allotments of the same respectively, in the same Proportion as other Persons entitled to Common thereon respectively shall be entitled unto, regard being had to the particular yearly Value of their respective Estates, in respect whereof they have enjoyed or are entitled to such Right of Common: Provided nevertheless, that the Provision last hereinbefore contained shall not any wise affect any Parishes, Hamlets, Places or Persons having or claiming Right of Common on the said Open Commonable Lands and Grounds or any Part thereof respectively, other than such as shall claim under such Provision, if they shall be able to support such Claim independent of such Enjoyment, in case the same shall happen to be objected to or contested.

XXV. And

XXV. And be it further enacted, That all Intakes or Encroachments made on the said Open Commonable Lands and Grounds, (except His Majesty's said Land) within the respective Manors or Places in which the same are situate, and which have been made within the Space of Thirty Years now last past, and for which no Licence, Consent or Grant shall have been obtained from the Lord or Lords of such respective Manors, or Persons called Purlieu Owner or Purlieu Owners, shall be deemed and considered Part and Parcel of the Lands and Grounds to be allotted or inclosed by virtue of this Act, as if the same were actually lying open and uninclosed.

Encroachments
to be allowable.

XXVI. And be it further enacted, That the said Commissioners shall and may turn or abate and stop up, or cause or order to be turned or abated and stopt up, any ancient Carriage Road or Way, Roads or Ways, or any ancient Footway or Path, Footways or Paths, in, through, upon or over any of the said Old Inclosures within the said Parishes, Townships, Hamlets or Places, where they shall judge it requisite or expedient, giving such Notice of a Day to be appointed by them to receive Objections as in the said recited Act of the Forty first Year of the Reign of His present Majesty, is directed and required in the Case of setting out the Roads and Ways therein mentioned, and observing the Directions of the said recited Act as to the obtaining the Concurrence and Order of Two Justices of the Peace previous thereto, and subject to an Appeal to the Quarter-Sessions as in the said recited Act is mentioned.

Power to turn
and stop Roads.

XXVII. And be it further enacted, That the said Commissioners shall and they are hereby required, as soon as conveniently may be after setting out publick Roads and Highways as by the said recited Act of the Forty first Year of the Reign of His present Majesty is directed, to set out and allot unto and for the Surveyors of the Highways of the several Parishes, Townships, Hamlets or Places within which the said Lands and Grounds hereby directed to be divided, allotted and inclosed respectively lie, so much and such Part and Parts of the said Lands and Grounds to be divided, allotted and inclosed, and in such Places as the said Commissioners shall think proper, (other than and except His Majesty's said Lands and the said Six hundred Acres hereinafter directed to be vested in and awarded to the King's Majesty, and to the said *Thomas Thistlethwayte* in Compensation of his Rights as Warden of the said Forest) for getting Stone, Gravel or other Materials for the Repairs from time to time for ever of the publick and private Roads and Highways within such respective Parishes, Townships, Hamlets and Districts; and the Grass and Herbage arising therefrom shall be vested in such Persons as the said Commissioners shall allot the same unto.

Allotments for
Repairs of Roads.

XXVIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners and they are hereby empowered to direct, order and award all Streams of Water, Springs and Watercourses, within the Lands and Grounds hereby directed to be divided, allotted and inclosed to be carried and conveyed in such Courses and through such of the said Lands and Grounds so hereby intended to be divided, allotted and inclosed, as they in their Discretion shall think necessary and proper for the Purposes aforesaid: Provided always, that no such Streams of Water, Springs or Watercourses, shall be diverted or turned without the Consent of the Per-

Commissioners
empowered to
turn Water-
courses.

son or Persons from and into whose Lands the same shall be carried or conveyed.

Land to be sold
for Payment of
Expences.

XXIX. And be it further enacted, That the said Commissioners shall mark and set out such Part and Parts of the said Purbeus or Open Commonable Lands and Grounds hereby directed to be divided, allotted and inclosed (other than and except His Majesty's said Lands, and the said Six hundred Acres so hereinafter vested in and awarded to the King's Majesty, and to the said *Thomas Thistlethwayte* in Compensation of his Rights as Warden of the said Forest as aforesaid) as by the Sale thereof, will, in the Judgment of the said Commissioners, raise a sufficient Sum of Money, to defray and discharge all the Costs, Charges and Expences incident to and attending the obtaining and passing of this Act, and of preparing and inrolling the Award to be made by the said Commissioners, and of surveying, admeasuring, planning, valuing, dividing, fencing and allotting the Lands and Grounds to be divided, fenced, allotted and inclosed, by virtue of this Act. and of surveying, admeasuring and planning such other Lands as shall by virtue of this Act be surveyed, measured and planned, and all the Charges of the said Commissioners, their Assessors, Clerks, Assistants and Servants, and all the other necessary Expences of the several Persons to be employed by the said Commissioners in and about the same, and all the Expences of forming, completing and repairing the publick Carriage Roads and Highways, to be set out by the said Commissioners as aforesaid, and all other Expences of carrying this Act into Execution; and that it shall be lawful for the said Commissioners, as soon after the passing of this Act as they shall think proper, and so from time to time as often as they shall think necessary, to sell by publick Sale by Auction, in the manner and subject to the Directions and Regulations mentioned and prescribed in and by the said recited Act unto any Person or Persons, such Part or Parts of the said Open Commonable Lands and Grounds hereby directed to be divided, allotted and inclosed, as they shall mark and set out and deem sufficient for the Purposes aforesaid, and the Purchase Money of the said Lands so to be sold as aforesaid shall be paid into the Hands of the said Commissioners, and the Receipt or Receipts of the said Commissioners for such Purchase Money, shall be a sufficient Discharge to the Purchaser or Purchasers for the same; and immediately after such Receipt or Receipts shall be given to such Purchaser or Purchasers, the Allotments, Pieces or Parcels of Land so purchased by him, her or them, shall by virtue of this Act become vested in him, her or them, and his, her and their respective Heirs and Assigns, in absolute Fee Simple, and shall be inclosed and held in Severalty, by the Purchaser or Purchasers thereof respectively as his, her or their private and absolute Property, and shall be allotted accordingly by the said Commissioners, and the said Purchase Money shall be applied in defraying such Charges and Expences as aforesaid.

Surplus produced by Sales
divided between
Proprietors in
Fee according to
their Interests.

XXX. And be it further enacted, That in case such Part or Parts of the said Open Commonable Lands and Grounds hereby directed to be sold as hereinbefore mentioned, shall be sold for more Money than will be required to defray such Costs, Charges and Expences as aforesaid, then, and in such Case, such Surplus Money shall be divided and apportioned, between the several Purbeus Owners, and other

other Persons interested in the Lands and Grounds hereby directed to be divided, allotted and inclosed, (except the Surveyors of the Highways, in respect of their Allotments as Surveyors as aforesaid) in such Shares as shall be in proportion to such their respective Property, Rights and Interests; and the respective Shares of such of them as shall be Tenants in Fee Simple of their respective Allotments shall be paid to them respectively; and the Shares of such other Proprietors or Persons of and in such Surplus Money shall be applied and disposed of in manner directed by the said recited Act of the Forty first Year of the Reign of His present Majesty, in case any Money is to be paid for the Purchase or Exchange of any Lands, Tenements or Hereditaments, or of any Timber or Wood growing thereon, and which Money ought to be laid out in the Purchase of other Lands, Tenements or Hereditaments to be settled to the same Use.

XXXI. And be it further enacted, That if any Person or Persons shall advance any Sum or Sums of Money for defraying the Expenses of obtaining and passing this Act, or of carrying the same into Execution, every such Person shall be repaid the same, with Interest after the Rate of Five Pounds *per Centum per Annum*, out of the First Monies that shall be raised or received by the said Commissioners by virtue of this Act for defraying such Expenses.

Money advanced to be repaid with Interest.

XXXII. Provided always, and be it enacted, That in case any of the Persons interested in the said intended Division and Inclosure, shall be desirous of having the whole of their respective Shares and Allotments of the said Open Commonable Lands and Grounds hereby directed to be divided, allotted and inclosed, set out and allotted to them without any Abatement for or in respect of the Sales hereinbefore directed for the Purposes aforesaid, and shall by themselves or Agents signify the same in Writing to the said Commissioners at the time of delivering in their respective Claims as hereinbefore directed, or within such time afterwards as shall be limited and prescribed by the said Commissioners, then, and in every such Case, the said Commissioners shall and they are hereby authorized and required to set out and allot to such Persons respectively, all such Shares and Proportions of the said Open Commonable Lands and Grounds as they would have been severally entitled to under and by virtue of this Act, in case no Provision had been hereby made for Sale of any Part of the same Lands or Grounds, and without any Deduction or Abatement whatsoever on that Account, and to adjust and settle what Sum and Sums of Money ought to be borne and paid by such several Persons, their Heirs or Assigns, for or in respect of their several and respective proportionable Charges and Expenses of carrying this Act into Execution; the same to be paid and recovered in such and the same manner and under such and the same Powers and Authorities as hereinafter provided in respect to any Deficiency in the Monies to arise by Sale as aforesaid: Provided nevertheless, that nothing herein contained shall give to the said Commissioners any Power to charge such Persons interested as aforesaid, with any Part of the Expenses attending or occasioned by the Sales hereinbefore directed.

Persons desirous of paying in Money exempt from Operations of the Power of Sale.

XXXIII. And be it further enacted, That in case the Monies to be raised by such Sale as aforesaid shall not be sufficient to pay and defray all the Costs, Charges and Expenses as aforesaid, then the Deficiency

Surplus Expenses of Act to be raised by Rate.

Deficiency shall be borne and paid by the several Persons commonly called Purlieu Owners, or Persons interested in the said intended Division and Inclosure, (except the Lord Bishop of *Winchester* and the said Warden and Scholars, Clerks of *Saint Mary College of Winchester* near *Winchester*, and their respective Successors, and also except the Surveyors of Highways in respect of the Allotments hereby directed to be made to them as Surveyors) in such Parts, Shares and Proportions, and shall be paid to such Person or Persons, and at such times and manner as the said Commissioners shall in and by their said Award, or by any other Writing or Writings, under their Hands, either previous to or after the Execution of their said Award, order, direct and appoint, according to the Value of their respective Allotments in the said Open Commonable Lands or Grounds; and the said Commissioners are hereby authorized and required from time to time and as often as they shall deem it necessary and proper, either before or after the Execution of their said Award, to raise the Amount of such Deficiency, by a Rate or Rates accordingly; and in case any such Persons called Purlieu Owner or Owners, or other Person or Persons interested as aforesaid, shall refuse or neglect to pay his, her or their Share, Part or Proportion of such Costs, Charges and Expences, according to such Order, Direction and Appointment as aforesaid, then, and in such Case, the same shall and may be levied and recovered in manner directed by the said recited Act.

Allotments to
the King.

XXXIV. And be it further enacted, That from and after the passing of this Act there shall be vested in His Majesty, his Heirs and Successors, as his and their own proper Demesne Lands and Estates, all and singular the said Lands hereinbefore mentioned to be His Majesty's Demesne Lands, consisting of Three Parcels of Land situate and being in the East Walk, and West Walk aforesaid, and containing in the whole Nine hundred and twenty nine Acres, and Fifteen Perches or thereabouts, and now distinguished from the other or remaining Lands, and also so much and such Part and Parts of the said Open and Commonable Lands and Grounds hereinbefore described, containing in the whole Six hundred Acres, and mentioned to be stipulated between the Right Honourable the Lords Commissioners of His Majesty's Treasury and the said *Thomas Thistlethwayte* and the said several Persons called Purlieu Owners, as the Consideration to His Majesty and to the said Warden for disafforesting the said Forest and Loss of Privilege and Patronage as aforesaid, as shall be awarded to the King's Majesty, his Heirs and Successors, by *John Vernon of Bedford Square*, in the County of *Middlesex*, Esquire, *Nathaniel Kent of Craig's Court*, in the City and Liberty of *Westminster*, Gentleman, and *Abraham Purshouse Driver* of the *Kent Road*, Land Surveyor, their Umpire or any Two of them the Persons elected and chosen to arbitrate between His Majesty, his Heirs and Successors, and the said *Thomas Thistlethwayte*, together with all and singular Erections, Buildings, Timber Trees, Wood and Underwood standing and being thereon respectively; and which said Lands and Hereditaments shall, from and after the passing of this Act, become and remain the exclusive and absolute Property of the King's Majesty, his Heirs and Successors, freed, exonerated and for ever discharged of and from all Rights of Common, Pasture and Turbary, Common of Estovers, and other Rights of what Nature

Nature or Kind soever, of all and singular the Persons called Pur-lieu Owners, Freeholders, Copyholders, Lessees, Tenants and Inhabitants of the said several Parishes, Townships, Hamlets or Places of *Soberton, Hambledon, Catherington, Blendworth, Bedbampton, Kingston, Portissie* otherwise *Portsea, Farlington, Wymering, Widley, Southwick, West Burhunt, Portchester, Wicor and Wickham*, and every of them, their Heirs, Successors and Assigns, and shall be made and kept by and under the Direction and Care of His Majesty's Surveyor General of Woods for the time being, under the Order and Controul of the Lords of the Treasury, as Nurseries for Wood and Timber only, and for no other Use, Intent or Purpose whatsoever.

XXXV. And be it further enacted, That the said Commissioners shall and they are hereby required to set out such and so many private Roads and Ways as shall be necessary for giving to His Majesty, his Heirs, Successors and Assigns, and his Surveyor General of his Woods, and the Deputy, Clerks and Servants of such Surveyor General, convenient Access to the same Allotments and to his said Lands.

Commissioners to set out Roads to His Majesty's Allotments.

XXXVI. And be it further enacted, That from and after the passing of this Act, there shall be vested in the said *Thomas Thistlethwayte*, his Heirs and Assigns (exclusive of any other Allotment or Compensation to be made to him by virtue of this Act as Owner of the Soil, or for Commonage in respect of any Messuages, Cottages, Scites, Lands or Tenements in his Possession or Occupation, or his Tenants or Lessees) so much and such Part or Parts being the Rest and Residue of the said Open and Commonable Lands and Grounds hereinbefore described, containing in the whole Six hundred Acres as aforesaid, and mentioned to be stipulated between the said Lords Commissioners of His Majesty's Treasury and the said *Thomas Thistlethwayte*, and the said several Persons called Pur-lieu Owners, as such Consideration as aforesaid, in lieu of and as a Compensation to the said *Thomas Thistlethwayte* for his Loss of Privilege and Patronage as such Warden of the said Forest upon disafforesting the same, as shall be awarded to the said *Thomas Thistlethwayte*, his Heirs or Assigns, by the said *John Vernon, Nathaniel Kent* and *Abraham Purshouse Driver*, or any Two of them; and the same shall be for ever held and enjoyed in Severalty by the said *Thomas Thistlethwayte*, his Heirs and Assigns, freed, exempt and absolutely discharged of and from all manner of Right of Common whatsoever.

Allotment to Mr. Thistlethwayte in Compensation of his Rights as Warden of the Forest.

XXXVII. And be it further enacted, That the Award of the said *John Vernon, Nathaniel Kent* and *Abraham Purshouse Driver*, be inrolled in the Office of the Auditor of the Land Revenue, there to remain on Record, and shall afterwards be filed and preserved amongst the Muniments of the Office of the Surveyor General of His Majesty's Woods and Forests, such Award or the Inrolment thereof to be produced, read and received in Evidence on all Occasions where any Question, Doubt or Controversy may arise, relating to or affecting the Rights and Interests of His Majesty, his Heirs or Successors, or of the said *Thomas Thistlethwayte*, his Heirs and Assigns, in respect of the Parts and Proportions of the said Six hundred Acres of Open or Commonable Lands and Grounds hereinbefore mentioned and described, and vested in them respectively under and by virtue of this Act.

Award inrolled.

XXXVIII. And

Apportioning the several Portions to bear an equal Share in the King's Allotment, and in Mr. Thistlethwayte's, for disafforesting Forest.

XXXVIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners and they are hereby authorized, empowered and directed to sever from the Lands called Purlicus of each Person called Purlicu Owner, whose Lands shall not have contributed to the said Six hundred Acres hereinbefore directed to be awarded to the King's Majesty and the said *Thomas Thistlethwayte*, as such Consideration as aforesaid, so much and such Part or Parts of his, her or their Land or Lands respectively, or otherwise make such a Compensation as will be a proportionate Consideration to and as much as such Person Purlicu Owner ought in the Judgment of the said Commissioners to bear and contribute towards making good unto the said other Persons called Purlicu Owners out of whose Lands called Purlicus, such Six hundred Acres shall be so taken and made to the King's Majesty, his Heirs and Successors, and to the said *Thomas Thistlethwayte*, his Heirs and Assigns respectively, as aforesaid; and that it shall and may be lawful for the said Commissioners to set out and allot the same in like manner as if the same Six hundred Acres had originally been taken in equal Shares from every Division of Land called Purlicu within the said Forest, in order to do equal Justice to all the Owners of such Lands.

Lands to be appropriated for building of Chapels.

XXXIX. And be it further enacted, That as soon as conveniently may be after the Survey and Value of the said Forest shall have been completed, it shall and may be lawful to and for the said Commissioners and they are hereby authorized and required to separate and set apart such Pieces or Parcels of the said Lands and Grounds hereby directed to be divided, allotted and inclosed, and in such Place or Places in the same as they shall think proper (other than and except His Majesty's said Lands and the said Six hundred Acres so directed to be awarded to the King's Majesty and the said *Thomas Thistlethwayte* as aforesaid) as shall, in the Judgment of the said Commissioners, (Quantity, Quality and Situation considered) be equal in Value to Ten Acres, at the Average Value of the same Lands and Grounds, and to allot and award the said Ten Acres unto and for the said Lord Bishop of *Winchester*, and the said Warden and Scholars Clerks for the time being, *Thomas Thistlethwayte* Esquire, and *George Garnier* Esquire, to be respectively held and enjoyed by the respective Persons aforesaid, and their Successors and Heirs, as Freehold in Fee, for the Use and Benefit of such Person and Persons as may be duly appointed to serve as Minister or Ministers of any Chapel or Chapels which may hereafter be built, consecrated and set apart for the publick Worship of Almighty God, according to the Laws Ecclesiastical of this Realm, within the said Forest, for the Use of such Person and Persons as may from time to time inhabit Houses upon the said Forest; and the Nomination and Appointment of the Minister or Ministers to such Chapel or Chapels shall be and is hereby vested in the said Lord Bishop of *Winchester*, and the said Warden and Scholars Clerks, and their Successors for the time being, such Nomination and Appointment to be made by them alternately, the First Nomination and Appointment to be made by the said Lord Bishop of *Winchester*, and his Successors for the time being; and until a Chapel or Chapels shall be so built and consecrated, and a Minister or Ministers thereof duly appointed and licensed by the said Lord Bishop, the Rents, Issues and Profits of such Pieces or Parcels of Land

Land as aforesaid shall be by the said respective Trustees thereof, placed out at Interest on Government Securities, and the Principal and Interest Monies arising or to arise from such Rents and Profits shall accumulate and be applied towards discharging the Expences of building any Chapel or Chapels, and House or Houses which may hereafter be erected and built within the said Forest for the Residence of the officiating Minister or Ministers of such Chapel or Chapels, and for the increasing of the Stipend or Stipends of any Minister or Ministers who may be so nominated and appointed to officiate in such Chapel or Chapels as aforesaid, or purchasing Lands for his or their Use as Glebe.

XL. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required, in the next Place, to set out and allot unto and for each and every Person called Purlien Owner (other than and except the King's Majesty, his Heirs and Successors) who shall appear to be entitled to the Soil of any Part of the said Open and Commonable Lands and Grounds hereby directed to be divided, allotted and inclosed (exclusive of any other Allotments or Compensation to be made to him, her or them respectively, by virtue of this Act for Commonage, in respect of any Messuages, Cottages, Scites, Lands or Tenements in his, her or their respective Possessions or Occupations, or his, her or their respective Tenants or Lessees) so much and such Part and Parts of the Lands and Grounds to be inclosed within his, her or their respective Portions of Soil as they the said Commissioners shall adjudge to be equal in Value to One Third Part of the same respectively, prior to any Allotment being made thereout as aforesaid, in lieu of and as a full Compensation for all Right of Soil of such Person called Purlien Owner or Owners in or to the said Lands and Grounds hereby directed to be divided, allotted and inclosed, due Regard being had by the said Commissioners to the Quantity, Quality and Situation of such Allotments; and such respective Third Parts shall be for ever held and enjoyed in Severalty by the said several and respective Persons or Purlien Owners, and Owners of the Soil, and their respective Heirs and Assigns, freed, exempt and absolutely discharged of and from all manner of Rights of Common whatsoever.

Allotments to
Purlien Owner
and Owners
of Soil.

XLI. And whereas the Six hundred Acres of Land hereby vested in His Majesty, being taken out of different Parishes, the Persons entitled to the Tithes of such Parishes may be injured thereby; Be it therefore enacted, That out of the said Open and Commonable Lands hereby directed to be divided and inclosed, Allotments shall be made to the Persons entitled to the Tithes of such Parishes of so much Land, and as shall be, in the Judgment of the said Commissioners, a full Compensation for such Injury.

Allotments in
lieu of Tithes.

XLII. And be it further enacted, That the said Commissioners shall and they are hereby required, in the next Place, to set out and allot the Residue of the said Open Commonable Lands and Grounds respectively to and amongst all and every the Persons entitled to Commonage in, over or upon the same respectively, or any Part or Parts thereof respectively (other than and except the King's Majesty, his Heirs and Successors) in proportion to the real Value of their several and respective Messuages or Cottages, Lands and Tenements, in respect whereof they are entitled to such Right of Common, and to the Part or Parts of the Lands to be inclosed in, over or upon which

Residue allotted
to Persons en-
titled to Com-
monage.

which their respective Rights of Common shall extend, due Regard being had in settling the *Quantum* of each Allotment to the Quality and Situation of the Land to be comprised therein; and shall also set out and award every Person's Allotment as near to his Messuage or Messuages, Cottages, Scites, Lands and Tenements in respect whereof he is or shall be entitled to Right of Common as conveniently may be.

Right to Tithes
not to be pre-
judiced.

XLIII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend so as to prejudice, lessen or defeat the Right, Title or Interest of the several Rectors, Vicars and Lay Impropriators for the time being of the said several and respective Parishes, Townships, Hamlets or Places of *Soberton, Hambleton, Catherington, Blendworth, Bedhampton, Kingston, Portiffaie* otherwise *Portsea, Farlington, Wymering, Wydley, Southwick, West Burbunt, Portchester, Wicor and Wickham*, or any of them, or any other Person or Persons whomsoever, in or to any Tithes great or small arising or renewing out of or payable for or in respect of any Lands, Tenements or Hereditaments within the same several Parishes, Townships, Hamlets or Places respectively; but that such Great and Small Tithes shall be paid and payable at all times hereafter in such and the same manner as they would have been in case this Act had not been made.

After Allotments
made Rights of
Common to
cease.

XLIV. And be it further enacted, That immediately after all the Allotments to be made in pursuance of this Act shall by Order of the said Commissioners be marked or staked out, all the several Shares or Allotments to be set out as aforesaid shall be and be deemed and taken to be in lieu of and in full Compensation, Satisfaction and Discharge of all Rights of Common whatsoever which the said Purlieu Owners and other the Proprietors or any of them could or might have had or been entitled to, in, over and upon the said Forest and other the said Commonable Lands and Grounds, or any Part or Parts thereof respectively; and from that time all Right of Common whatsoever in or upon the said Forest and Open Commonable Lands and Grounds, shall cease and be for ever annulled, abolished and extinguished: Provided nevertheless, that it shall be lawful for the said Commissioners at any time before the Execution of their said Award, by Notice in Writing under their Hands to be affixed upon the principal Doors of the several Churches or Chapels to each Parish, Township, Hamlet or Place entitled to Right of Common upon the said Open Commonable Lands and Grounds, to order and direct all or any Part of the Rights of Common in or over the said Open and Commonable Lands and Grounds, or any Part or Parts thereof, to be extinguished, or the Exercise thereof suspended, for and during such time or times as shall be expressed in such Writing; and all such Rights of Common as the said Commissioners shall by such Writing order and direct to be extinguished, or Exercise thereof to be suspended as aforesaid, shall from the time mentioned in such Writing cease, determine and be extinguished, or the Exercise thereof shall be suspended accordingly; any Law, Usage or Custom to the contrary thereof in any wise notwithstanding.

Rights of Com-
mon may be
suspended or
extinguished
before the Exe-
cution of the
Award.

Owners of Com-
mon Rights may
have their Allot-
ments laid to-
gether.

XLV. And be it further enacted, That if any of the several Owners of ancient Messuages, Cottages, Scites or Homesteads, Lands, Tenements or Hereditaments, shall be desirous that their respective Shares in the said Open Commonable Lands and Grounds so directed

to

to be divided, allotted and inclosed as aforesaid, in respect of their Common Rights belonging to such Messuages, Cottages, Scites or Homesteads, Lands, Tenements or Hereditaments, should be allotted together in one or more Parcel or Parcels, and shall express such their Desire in Writing to the said Commissioners, at such time as the said Commissioners shall limit and appoint, then, and in such Case, the said Commissioners shall and they are hereby required to set out the several Parcels of Land to be allotted to such several Persons in One Allotment, and such Allotments shall be used and enjoyed by the several Proprietors thereof in such manner and under such Regulations as the said Commissioners shall in that behalf direct and appoint in their said Award.

XLVI. And be it further enacted, That when and so soon as the said Commissioners shall have ascertained the respective Rights of the Persons interested in the said intended Inclosure, and also the respective Shares and Proportions by them proposed to be allotted to such Persons respectively in lieu thereof, they the said Commissioners shall give Notice in manner aforesaid of the Day or Days, and Place where all Persons interested may peruse a Schedule of such intended Allotments, and inspect the Map or Plan whereon the same shall be delineated, and may have and receive a Copy of such Schedule so far as the same relates to each Person respectively; and as some Persons may upon Perusal of the said Schedule, and Inspection of such Map or Plan, be dissatisfied with their intended Allotments, the said Commissioners shall give Notice of One Meeting at least, to be held by them for hearing Complaints and Objections against such intended Allotments, and for hearing and determining all such Objections, and their Determinations in the Premises, as to Quantity and Situation, shall be binding, final and conclusive upon all Parties.

Allotments to be delineated in a Plan, and shewn to Proprietors.

XLVII. Provided always, and be it enacted, That if any of the Persons called Purlicu Owners, or other Persons interested in the said Division and Inclosure, hath sold or shall at any time hereafter, and before the Execution of the said Award, sell his, her or their Right, Interest or Property in, over and upon the said Commonable Lands and Grounds hereby directed to be divided, allotted and inclosed, or any Part thereof, to any other Person or Persons, then it shall be lawful for the said Commissioners, and they are hereby authorized and required, on Application made to them for that Purpose by Writing under the Hands of the contracting Parties, to make an Allotment of Land unto the Vendee or Purchaser in such Sale, or to his or her Heirs or Assigns, for or in respect of such Right, Interest and Property sold; and every such Vendee or Purchaser, and his and her Heirs and Assigns, shall and may, after the Completion of such Sale, hold the Land and Ground so to be allotted to him, her or them as aforesaid, in the same manner, pursuant to the Terms of such Sale, to all Intents and Purposes as the Vendor in every such Sale might, could or ought to have held and enjoyed the same in case such Sale had not been made, or such Right, Interest or Property, had been vested in such Vendee at the time of making such Sale as aforesaid.

Sale of Allotments before Execution of Award.

XLVIII. And be it further enacted, That it shall and may be lawful for the Lords Commissioners of His Majesty's Treasury, on behalf of His Majesty, to agree with and to purchase from any of the other Persons called Purlicu Owners, or any other Person or

Commissioners of Treasury empowered to purchase Lands.

Persons who shall be entitled to any Allotments of Land under this Act, all or any Part of their respective Lands, or the additional Allotments to be made to them under this Act, for the Use of the same to His Majesty, his Heirs and Successors in his and their Right as of Fee; such Lands so purchased to be inclosed and appropriated, in the same manner as His Majesty's Lands and Allotments under this Act, to the Growth and Preservation of Timber.

Allotments to
be fenced.

XLIX. And be it further enacted, That the several Outermost or Ring Fences of the several Pieces or Parcels of Land to be allotted to the Lord Bishop of *Winchester*, and to the said Warden and Scholars Clerks of *Saint Mary College of Winchester* near *Winchester*, and their respective Successors, and to the several Rectors and Vicars or other Ministers of the said several Parishes, having Rights of Common in respect of their several Glebe Lands and their Successors, shall be properly planted with good Quicksets and guarded on each Side with a double Row of Oak, Ash or Elm Posts and Rails, and a sufficient Ditch on each Side shall be made in such manner as the said Commissioners shall direct and appoint, without any Deduction or Deductions from such Allotment or Allotments, so to be made to the said several Persons entitled thereto, their respective Successors or Assigns, or any of them, on account of such Expences; and all such Fences, or such Part or Parts thereof as the said Commissioners shall direct, shall for ever after the making thereof be kept in Repair by the Person or Persons, who for the time being shall be entitled to such Allotment or Allotments; and all Fences in pursuance of this Act to be made for dividing and inclosing the Residue of the said Open and Commonable Lands and Grounds shall be made, and at all times for ever thereafter repaired and maintained by and at the Expence of the Proprietors interested in such Residue, in such Parts and Proportions, and within such time and in such manner as the said Commissioners shall in and by their Award direct or appoint.

Proviso for His
Majesty's Rights
in regard to Deer.

L. And be it further enacted and declared, That His Majesty's Rights of Forest, within and over the said Forest of *South* otherwise *East Bere* otherwise *Bier*, shall remain and continue vested in His Majesty, his Heirs and Successors; and that all the Laws and Statutes of this Realm now in Force for the Protection of Deer, and for punishing Persons guilty of any Offences in Breach of such Laws, shall remain and continue in Force and Effect for the Protection of His Majesty's Deer within the Regard of the said Forest, and for the Punishment of Offenders therein, until such times as the said Commissioners shall appoint; any thing in this Act contained to the contrary thereof in any wise notwithstanding: Provided always, that in case any Allotment or Allotments of the said Open Commonable Lands and Grounds so to be allotted, divided and inclosed as aforesaid, shall be actually inclosed and the Fences thereof completed before the First Day of *June* in the Year of Our Lord One thousand eight hundred and fifteen, then, and in every such Case, it shall be lawful for the Owner of any Allotment to hunt and kill any Deer within such Allotment, without being subject to any Pain, Penalty or Punishment for so doing.

Forest dis-
affected.

LI. And be it further enacted, That from and after the said First Day of *June* One thousand eight hundred and fifteen, all Right of Soil and Game of Deer, and all other Forestial Rights and Privileges

leges whatsoever of the King's Majesty, his Heirs and Successors, and his or their Lessee or Lessees, and of all other Persons whomsoever, within, upon and over the said Forest of *South* otherwise *East Bere* otherwise *Bier*, or the Regard thereof, shall cease, determine and be for ever extinguished; and the whole of the said Forest shall be disafforested to all Intents and Purposes whatsoever.

LII. And be it further enacted, That the said Commissioners shall and they are hereby required to value all Timber of every Description whatsoever, and all Underwood, Bushes, Hollies and Thorns, Heritors and Standils, which shall be standing or growing upon the said Six hundred Acres which shall be so awarded to the King's Majesty, his Heirs and Successors, and the said *Thomas Thistlethwayte*, his Heirs and Assigns respectively as aforesaid, and also upon all the other Parts of the said Open Commonable Lands and Grounds so to be divided, allotted and inclosed as aforesaid, except His Majesty's said Lands which shall be taken from the present or former Owners thereof and transferred to or allotted to any other Person or Persons at the time of such allotting and dividing as aforesaid; and to direct under their Hands, what Sum or Sums of Money shall be paid, and by whom, to the Person or Persons who shall be entitled thereto, his, her or their Heirs or Assigns, or his, her or their Lessees or Tenants, for the Timber, Underwood and Bushes, Hollies and Thorns, Heritors and Standils, which shall be standing and growing on any Part or Parts of the said Six hundred Acres so to be awarded to the King's Majesty, his Heirs and Successors, and to the said *Thomas Thistlethwayte*, his Heirs and Assigns, or any of the Lands so to be transferred or allotted to any other Person as aforesaid; and to call upon the Lords Commissioners of His Majesty's Treasury, for Payment of the Amount of so much thereof as shall be the Value of the same, upon such Part or Parts of the said Six hundred Acres, as shall be so awarded to the King's Majesty, his Heirs and Successors, and who are hereby authorized and directed to pay the same; and in case any Person or Persons shall make Default in Payment of any such Sum or Sums of Money at any time or times appointed by the said Commissioners for the Payment thereof, (except such Part thereof so hereby provided for and directed as aforesaid) then it shall be lawful for the said Commissioners, by any Warrant or Warrants under their Hands and Seals, to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons liable to pay the same, together with the Costs and Charges of such Distress and Sale, rendering the Overplus (if any) to the Owner or Owners of such Goods and Chattels: Provided always, that in case any Person or Persons on whose Allotment or Allotments any such Timber or other Trees shall be standing or growing as aforesaid, shall not be willing to purchase the same, or shall not pay the Money so directed to be paid for the same at such time as aforesaid, then, and in such Case, it shall be lawful for the said Commissioners and they are hereby authorized and empowered, as well as the Purchasers of such Timber, with Horses, Cattle and Carriages to enter into and upon the Lands and Grounds whereon such Timber or other Trees shall be standing and growing, and to cut down and carry away the same, and the Money arising by such Sale shall, after deducting the necessary Charges of cutting down and felling the said Timber, be applied and disposed of in the same manner

Commissioners to value Timber.

Provido.

manner as is before directed in case the said Timber had been paid for as aforesaid.

Application of
Monies payable
to Bishop of
Winchester
arising from
Timber.

LIII. Provided always, and be it further enacted, That it shall and may be lawful to and for the Lord Bishop of *Winchester*, and his Successors, from time to time to pay and apply all or any Part of the Money which shall or may be paid to or received by him or them, or which he or they may be entitled to in Right of the See of *Winchester*, as the Value of and for any Timber, Underwood, Bushes, Hollies, Thorns, Heritors and Standils, which shall be purchased, or taken from him and them, and conveyed, transferred or allotted to the King's Majesty, or the said *Thomas Thistlethwayte*, or any other Person or Persons, under and by virtue of this Act, in the Purchase of the Land Tax or Discharge of any Debt or Debts or other Incumbrances or Part thereof, affecting any Lands, Tenements or Hereditaments belonging to the See of *Winchester*, or in the Purchase of the Land Tax, affecting any Living or Livings, in the Patronage of the said See of *Winchester*.

Application of
other Monies.

LIV. Provided always, and be it further enacted, That the Monies to be received by all other the Purlieu Owners (other than and except the Lord Bishop of *Winchester* and his Successors for the time being) for any Timber, Underwood, Bushes, Hollies, Thorns, Heritors and Standils, pursuant to the Clause for the Valuation thereof as hereinbefore is mentioned, shall be paid for as follows; *videlicet*, the respective Shares of such of them as shall be Tenants in Fee-simple of and beneficially interested in their respective Allotments shall be paid to them respectively, and the respective Shares of such of them as shall be Trustees for Sale of the Lands in respect of which their Allotments shall be made and of the Timber and other Trees and Underwood thereon, with Power to give sufficient Receipts and Discharges for the Monies to arise by Sale of such Timber and other Trees, and Underwood, shall be paid to such Trustees respectively, and the Shares of such other Proprietors or Persons of and in such Surplus Money shall be applied and disposed of in manner directed by the said recited Act of the Forty first Year of the Reign of His present Majesty, in case any Money is to be paid for the Purchase or Exchange of any Lands, Tenements or Hereditaments, or of any Timber or Wood growing thereon, and which Money ought to be laid out in the Purchase of other Lands, Tenements or Hereditaments, to be settled to the same Uses.

41 G. 3. (U. K.)
c. 109.

Provide.

LV. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend so as to restrain or prevent any Persons called Purlieu Owner or Purlieu Owners, prior to any Allotment or Allotments being made to him, her or them by virtue of this Act, from felling or cutting down any Timber, Underwood, Bushes, Hollies, Thorns, Heritors and Standils, which shall be standing, growing or being on the Land called Purlieu or respective Purlieus of each of such Owner or Owners, and of carrying away, felling or disposing of the same in such and the like manner, in all respects as he, she or they could or might have done in case this Act had not been made.

Commissioners
to allot in Ex-
change.

LVI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to set out, allot and award any Lands, Tenements or Hereditaments, in whatsoever Parishes, Townships, Hamlets or Places, the same are situate, the Owners whereof
are

are entitled in Right or in respect of the same to any Right of Common upon the said Open Commonable Lands and Grounds or any Part thereof, in lieu of and in exchange for any other Lands, Tenements and Hereditaments whatsoever, within any of the Parishes, Townships, Hamlets or Places, in which the said Open Commonable Lands or Grounds respectively lie or are situate, or which are entitled to Right of Common as aforesaid, or within any adjoining Parish, Hamlet, Township or Place, provided that all such Exchanges be ascertained, specified and declared, in the said Award of the said Commissioners or some other Deed or Deeds, Instrument or Instruments, in Writing under their Hands and Seals, and be made with the Consent of the Owner or Owners, Proprietor or Proprietors of the Lands, Tenements or Hereditaments, which shall be so exchanged, whether such Owner or Owners, Proprietor or Proprietors, shall be a Body or Bodies Politick, Corporate or Collegiate, or a Tenant or Tenants in Fee Simple or for Life, or in Fee Tail, general or special, or by the Courtsey of *England*, or for Years determinable on any Life or Lives, or with the Consent of the Guardians, Trustees, Feoffees for Charitable or other Uses, Husbands, Committees or Attornies, of or acting for any such Proprietors or Owners as aforesaid, who at the time of making such Exchange or Exchanges shall be respectively Infants, Females Covert, Lunatics or under any other legal Incapacity, or who shall be beyond the Seas or otherwise disabled to act for themselves, himself or herself, such Consent to be testified in Writing under the Common Seal of the Body Politick, Corporate or Collegiate and under the Hands of the other Parties consenting respectively; and all and every such Exchange and Exchanges so to be made shall be good, valid and effectual, in the Law to all Intents and Purposes whatsoever: Provided nevertheless, that no Exchange shall be made of any Lands, Tenements or Hereditaments, held in right of any Church, Chapel or other Ecclesiastical Benefice, without the Consent testified as aforesaid of the Patron thereof, and of the Bishop of the Diocese or other Ordinary of the Ecclesiastical Jurisdiction in which such Lands, Tenements or Hereditaments, so to be exchanged, shall lie or be situate.

Provided

LVII. Provided always, and be it enacted, That the Costs, Charges and Expences, attending the making and completing of all Exchanges and Partitions, under the Powers and Authorities in this Act, and the said recited Act of the Forty first Year of His present Majesty's Reign, or either of them contained, shall be paid and borne by the several Persons, Bodies Politick, Corporate or Collegiate, making such Exchanges or Partitions, in such manner and in such Proportions as the said Commissioners shall order and direct.

Expences of Exchanges how paid.

LVIII. Provided always, and be it enacted, That all and every the Allotments to be made in pursuance of this Act for or in respect of any Freehold Estates shall be deemed and taken to be and held and enjoyed as Freehold Estates (subject nevertheless to the Seigniorial Rights of the Lords of the respective Manors in which the same are situate) and all and every the Allotments to be made for or in respect of any Copyhold or Customary Estates, held of any Manor or Manors in which the Lands and Grounds to be inclosed by virtue of this Act respectively lie or are situate, shall be deemed and taken to be as Copyhold or Customary Estates, and shall be held of the Lords

Allotments to remain of same Tenure.

of the Fee thereof, under the same Rents and by the same Customs and Services as the Copyhold or Customary Lands and Hereditaments for which they were so allotted are or ought to have been held, and shall pass by the like Surrenders as the Copyhold or Customary Lands and Hereditaments in respect whereof such Allotments shall be made now do pass.

Power for
enfranchising
Copyholds.

LIX. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, with the Consent of the respective Lord or Lords of the Manor or Manors of whom any Messuages, Cottages, Lands or Tenements in the said several and respective Parishes, Townships, Hamlets or Places of *Soberton, Hambledon, Catberington, Blendworth, Bedhampton, Kingston, Portissie* otherwise *Portsea, Farlington, Wymering, Widley, Southwick, West Burhunt, Portchester, Wicor and Wickham*, or any of them, are or shall be holden by Copy of Court Roll and of the customary Tenant or Tenants by whom any such Messuages, Cottages, Lands or Tenements shall be respectively holden, in and by the Award of the said Commissioners, or by any other Writing or Writings to be signed and sealed by the said Commissioners and by such Lord or Lords and Tenant or Tenants respectively; or by the Husbands, Trustees or Guardians, Committees or Attornies of and for any such Tenants, being Femes Covert, Minors, Lunatics, beyond the Seas, or under any other Disability or Incapacity (or under the Common Seal of any of them, being a Body or Bodies Politick, Corporate or Collegiate) at any time within Twelve Calendar Months after the Date of the Commissioners Award, to declare any such Copyhold or Customary Messuages, Cottages, Lands or Tenements to be enfranchised, and the Tenures by which the same are holden, and the Fines, Heriots and other Services incident thereto, to be discharged and extinguished; and that the same Messuages, Cottages, Lands or Tenements, or any Part or Parts thereof respectively, shall thenceforth be holden of the Lord or Lords of the same Manor or respective Manors, either by the Rents which shall have been theretofore paid or payable in respect thereof, or by any lesser Rent or Rents to be in such Writing or Writings ascertained and declared, or without Rent; and in lieu of and Compensation for every such Enfranchisement, to award to the respective Lord or Lords of the same Manor or Manors such Sum or Sums of Money to be applied in the manner hereafter directed, or to assign and set out to and for such Lord or Lords respectively such Compensation, by and out of any of the Lands and Tenements hereby directed to be divided, allotted and inclosed, as shall in the Judgment of the said Commissioners be an Equivalent and Satisfaction for the customary Payments, Burthens and Services to which such Copyhold Messuages, Cottages, Lands or Tenements respectively shall have been subject or liable; and the Lord or Lords for the time being of the Manor to whom any such ancient Rent shall be reserved and contained, or any lesser Rent assigned, shall have the like Powers and Remedies for the Recovery of such Rents respectively as by the Laws of this Realm are given for the Recovery of Rents, Seck Rents of Assize and Chief Rents; and from and after any such Declaration shall be made and executed, and such Sum of Money or other Compensation shall be paid or assigned in exchange for such Copyhold Tenure, the Lands and Tenements in every such Declaration comprised and

6

thereby

thereby expressed to be enfranchised shall be held, possessed and enjoyed by the Owner or Owners thereof paying or making such Compensation, their respective Heirs or Assigns, or other Persons claiming in Reversion or Remainder of the Lord or Lords of such Manors respectively, in free and common Soccage, discharged of the Tenure by Copy of Court Roll, and of all Services and Duties incident to such Tenure, and of all other Services and Payments except the Rent or Rents which may be continued or reserved to such Lord or Lords in respect thereof; and the Lands or other Hereditaments so to be assigned to such Lord or Lords shall be by him or them, and by his or their Heirs, Successors or Assigns, or by the Person or Persons who shall be entitled in Reversion or Remainder to such Manor or Manors respectively, held and enjoyed in Compensation for the Tenure so to be extinguished, for such and the like Estates, and upon and for such Uses, Trusts, Intents and Purposes, as the Manor or Manors of which the Copyhold Hereditaments so enfranchised shall be holden, shall at the time of every such Enfranchisement stand settled and limited.

LX. Provided always, and be it further enacted, That the Money to be received for the Enfranchisement of any Copyhold Lands or Tenements in pursuance of this Act, shall be paid to the Lord or Lords of the Manor or Manors respectively of whom the Copyhold Hereditaments so to be enfranchised shall at the time of the Enfranchisement thereof be holden where such Lord or Lords shall be seised of such Manor or Manors in Fee Simple; and in all other Cases the Money to be received for such Enfranchisement shall be paid and applied in manner directed by the said recited Act of the Forty-first Year of the Reign of His present Majesty, with respect to the Money to be paid for the Purchase or Exchange of any Lands, Tenements or Hereditaments, or any Timber or Wood growing thereon, and which Money ought to be laid out in the Purchase of Lands, Tenements or Hereditaments, to be settled to the same Uses. Appropriation of Money.

LXI. Provided always, and be it enacted, That nothing herein contained shall extend or be construed, adjudged, deemed or taken to revoke, annul or make void any Settlement, Deed, Will or Lease whatsoever, or to prejudice any Person or Persons having any Right or Claim of Dower, Jointure, Rent, Service, Debt, Charge or Incumbrance in, out of, upon or over or affecting the said Purlieus, or upon the Commonable Lands and Grounds so to be divided, allotted and inclosed, or exchanged by virtue of the said recited Act of the Forty first Year of the Reign of His present Majesty, or of this Act, or any Part or Parcel thereof; but that the several Allotments so to be allotted or given in Exchange upon such Division or Inclosure thereof to the several Purlieu Owners and Proprietors respectively, shall immediately after such Allotments or Exchanges shall be made and set out, be, remain and enure, and be held and enjoyed, and the several Persons to whom the same shall be so allotted or exchanged as aforesaid shall, from the signing the said Award, stand, be seised and possessed thereof respectively to such and the same Estates, and with such and the same Powers and Authorities for making Leases thereof or otherwise, and subject to such and the same Wills, Limitations, Conditions, Settlements, Trusts, Provisoes, Remainders, Reversions, Debts, Charges and Incumbrances (Right of Common, and Common of Pasturage as aforesaid, and such other Proviso for Wills and Settlements.

Exceptions and Provisions as are herein made only excepted), as the said several Purlieus, Lands and Hereditaments, in respect or in lieu thereof, or in right whereof such Allotments were and are to be made to them, respectively, stood severally limited or subject and liable unto at the Time of making such Allotments respectively or signing the said Award.

For vacating
Leases at Rack
Rent,

LXII. Provided always, and be it further enacted, That all the Allotments of Land to be made of the said Forest by virtue of this Act, in respect of any Messuages, Houses or Lands held by Lease or Leases at Rack Rent, or for which Leases no Fines are expressed therein to have been paid to the Grantors or Lessors as the Considerations for the same, shall be allotted to and held by the several Owners and Proprietors of such Messuages, Houses and Lands, freed and discharged from all Right or Claim of such respective Lessees to, in or upon the said Allotments or any Part thereof, to be derived under or by virtue of such Leases; and in case any of such Lessees shall think himself, herself or themselves aggrieved thereby, and such Lessors and Lessees shall not settle the same to their mutual Satisfaction, then, and in every such Case, it shall and may be lawful to and for the said Commissioners, on Application to them made by either Party, to take the Matters in Question into their Consideration, and by their Order to make unto every such Lessee for his, her and their Loss of Commonage, or other Losses by means of the said Division, such a fair and adequate Allowance and Compensation either in Money, to be paid down, or by way of Abatement or Reduction in the Rack Rents by such Leases reserved, as the said Commissioners shall think just and equitable,

What Leases
Tenants for Life
may grant.

LXIII. Provided always, and be it further enacted, That the Lord Bishop of *Winchester* for the time being and his Successors, and also the said Warden and Scholars Clerks of *Saint Mary College of Winchester* near *Winchester* and their Successors, shall have full Power and Authority from time to time to grant any Lease or Leases of all or any Part of the Allotment and Allotments herein directed to be made to him and them, either for Three Lives or for Twenty one Years, in such Manner and Form in all Respects as the said Lord Bishop of *Winchester* and his Predecessors, and the said Warden and Scholars Clerks of *Saint Mary College of Winchester* near *Winchester*, and their Predecessors, are enabled to lease their Lands and Estates within the said County of *Southampton*.

For preventing
Quicksets from
being damaged
by Sheep.

LXIV. And be it further enacted, That no Sheep or Lambs shall be kept in any of the new Inclosures to be made by virtue of this Act during the Space of Ten Years from the Execution of the said Award, unless the Person or Persons keeping such Sheep or Lambs shall and do at his, her or their own Expence, fence or guard his, her or their Neighbours Quicksets adjoining the Inclosures wherein such Sheep or Lambs shall be kept, so as to prevent any Damage being done to such Quicksets by such Sheep or Lambs; and it shall not be lawful for any Person or Persons to turn or put or cause to be turned or put any Sheep, Lambs, Horses, Asses, or other Beasts or Cattle into any of the Ways, Lanes or Roads on either Side of which any newly planted Fence shall be growing.

Satisfaction for
unequal Share of
Boundary
Fences.

LXV. Provided always, and be it further enacted, That if owing to the Situation or other Circumstances of any Allotment or Allotments it shall happen that the Proprietor or Proprietors thereof shall

not

not have a proportionable Share of Boundary Fencing thereto, it shall be lawful for the said Commissioners, where they shall judge reasonable, to ascertain and appoint any Sum or Sums of Money to be contributed and paid by such Proprietor or Proprietors towards the Expence of the Boundary Fencing of such other or others of the said Proprietors who may happen to have too great a Proportion thereof, in order that the Expences of the said Boundary Fencing may be brought as near as may be to a just and equal Proportion (regard being had to the necessary Subdivision Fences within the respective Allotments); and the Money to be ascertained and applied shall be levied and recovered in the same manner as the Expences of executing this Act, in case of a Deficiency from the Sale of Land, hereinbefore directed to be levied and recovered: *Provide,* that it shall and may be lawful for the said Commissioners, at any time before executing their final Award, to make any Alterations in the Allotments and Fences which they may have set out and ordered, or in any private Roads laid, or to be laid out, or to such Allotments as they shall think right and expedient; and in case any Person or Persons be injured by such Alterations, an account of any Expences he or they may have been at, the said Commissioners shall ascertain and determine what Recompence shall be made to him, her or them, and shall direct by whom, and in what manner such recompence shall be made.

LXVI. And be it further enacted, That the Award to be made by the said Commissioners, when inrolled in manner directed by the said recited Act of the Forty first Year of the Reign of His present Majesty, shall be deposited and left with the Clerk of the Peace for the said County of *Southampton*, where the same shall and may be inspected and perused at all seasonable Times in the Year-time for ever hereafter, by any Person or Persons whomsoever, paying the Sum of One Shilling and no more to the said Clerk of the Peace or his Deputy for every such Inspection and Perusal. *Award inspected.* *Fee.*

LXVII. And be it further enacted, That once at least in each and every Year during the Execution of this Act (such Year to be computed from the Day of passing thereof) the said Commissioners shall and they are hereby required to make a true and just Statement or Account of any Sums of Money by them or any of them received and expended, or due to them for their own Trouble and Expences in the Execution of this Act; and such Statement or Account when so made (together with the Vouchers relating thereto) shall be by them, if required, laid before two of His Majesty's Justices of the Peace for the said County of *Southampton* (not interested in the said intended Division and Inclosure) to be by them examined and balanced (the Justices being hereby authorized to take or call such Aid and Assistance in such Examination as they shall think fit, and to charge the incidental Expences) and the Balance shall be by such Justices stated in the Books of Account to be kept in the Office of the Clerks to the said Commissioners; and no Charge or Item in such Accounts shall be binding on the Parties concerned or valid in the Law unless allowed by Two Justices of the Peace as aforesaid. *Account to be examined and balanced by Two Magistrates annually.*

LXVIII. And whereas some of the Land Owners and Proprietors interested in the said Open Commonable Lands and Grounds hereby directed to be divided, allotted and inclosed, may have Occasion to borrow Money to defray their respective Shares and Proportions of the

Tenants for
Life, &c. em-
powered to bor-
row Money.

the Charges and Expences of obtaining and carrying this Act into Execution; Be it therefore enacted, That it shall and may be lawful to and for the Land Owners and Proprietors, and of all other Persons whomsoever interested in such Lands and Grounds, being a Tenant or Tenants for Life or Lives, or in Fee Tail General or Special, or by the Courtesy of *England*, or Lessee or Lessees for any Life or Lives, or for Years determinable on any Life or Lives, and also to and for the Husbands, Guardians, Trustees and Committees of any of the said Owners or Proprietors being under Coverture, Minors, Idiots, Lunatics, or beyond the Seas, or labouring under any other Disability whatsoever and also to and for all Persons acting as Guardians, Trustees or Committees of any Owners or Proprietors being under any Disability or Incapacity whatsoever, whether such Owners or Proprietors respectively be Tenants for Life, with or without Impeachment of Waste, Tenants in Fee Tail General or Special, or Tenants by the Courtesy of *England*, or Lessee or Lessees for any Life or Lives, for Years determinable on any Life or Lives (other than and except the Lord Bishop of *Winchester*, and the Warden and Scholars Clerks of *Saint Mary College of Winchester* near *Winchester*, and their respective Successors, and other than and except the Surveyors of the Highways of the said respective Parishes, for in respect of any Allotment or Allotments made to them as Surveyors as aforesaid), by any Deed or Deeds, Writing or Writings, under their respective Hands and Seals, to be duly executed and attested by Two or more credible Witnesses, to charge the Freehold Part, and by Surrender or Surrenders duly passed, according to the Custom or Customs of the Manor whereof the same is, are or shall holden, to charge the Copyhold Part of such Lands and Grounds as shall be allotted to such Owners and Proprietors respectively, with any Sum or Sums of Money, not exceeding Five Pounds for each and every Acre thereof, for defraying their respective Proportion of the Charges and Expences of obtaining and executing this Act, and of inclosing and subdividing their respective Allotments as the said Commissioners shall think proper for such Purpose; the same to be paid for by such Person or Persons, and to be applied for the Purposes aforesaid in such manner as the said Commissioners shall direct and appoint; and for securing the Repayment of such Sums and Sums of Money with Interest for the same, to grant, lease, demise, mortgage, surrender or otherwise subject their said respective Allotments or any Part thereof, unto any Person or Persons who shall advance and lend such Sum or Sums of Money respectively, his, her or their Heirs, Executors, Administrators or Assigns, for any Term or Number of Years as to the Freehold Part thereof, and for each Estate, Term or Interest as to the Copyhold Part thereof as shall be conformable to the Custom of the respective Manors, so that any such Grant, Lease, Mortgage, Demise, Surrender or Security be made with a proviso or Condition to cease and be void, or with an express Trust to be surrendered when such Sum or Sums of Money thereby to be secured and the Interest thereof shall be fully paid and satisfied; and so that in every such Grant, Lease, Mortgage, Demise, Surrender or Security which shall be made by any Person or Persons interested in, or entitled unto the Premises for the Term of their natural Life only, or by his, her or their Guardian or Guardians, Trustee or Trustees, Committee or Committees, there be contained

contained a Proviso or Covenant that the Owner or Proprietor of the said Premises shall duly pay and keep down the Interest of any Sum or Sums of Money to be thereby secured during their respective Lives; and no Person afterwards becoming seised or possessed of the said Premises shall be liable to the Payment of any further or larger Arrear of Interest than for One Year preceding the time at which the Title to such Possession shall have commenced; and every such Grant, Lease, Mortgage, Demise, Surrender or Security of the said Premises shall be good, valid and effectual in the Law for the Purposes thereby intended.

LXIX. And be it further enacted, That if any Person or Persons shall think himself, herself or themselves aggrieved by any Thing done in pursuance of this Act (other than and except such Orders and Determinations as are by the said recited Act made in the Forty first Year of the Reign of His present Majesty, or by this Act directed to be made final or conclusive, and save and except in such cases wherein an Issue at Law shall be tried as hereinbefore directed), then, and in every such Case, he, she or they may appeal to the General Quarter-Sessions of the Peace which shall be held for the said County of *Southampton*, within Six Calendar Months next after such Cause of Complaint shall have arisen, on giving to the said Commissioners Twenty one Days previous Notice of such Appeal; and the Justices of the said Quarter-Sessions are hereby required to hear and determine the Matters of every such Complaint, and make such Order therein, and to award such Costs as to them shall seem reasonable, and by their Warrant, to levy the Costs which shall be so awarded by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same, rendering the Overplus (if any) to the Owner or Owners after deducting the reasonable Charges; which Determination of the said Justices shall be final and conclusive to all Parties concerned, and shall not be removed by *Certiorari*, or any Writ or Writs whatsoever into any of His Majesty's Courts of Record at *Westminster*, or elsewhere.

LXX. And be it further enacted, That nothing herein contained shall prejudice, lessen or defeat the Right, Title or Interest of the said several Purlieu Owners, or of any other Person or Persons who shall or may be respectively for the time being Lord or Lords of any Honor or Honors, Manor or Manors, Lordship or Lordships, Jurisdiction or Jurisdictions, or reputed Honor, Manor, Lordship or Jurisdiction, within the Limits whereof the said Purlieus or Open Commonable Lands and Grounds hereby directed to be inclosed or any Part thereof respectively are comprized, of, in or to any Seigniories, Royalties, Fisheries, Free Warrens, Manorial Rights, Ecclesiastical Rights and other Rights, Customs and Services incident or belonging to such Honors, Manors, Lordships or Jurisdictions or any of them; but that the said Lords hereinbefore particularly named, and such other Lord or Lords for the time being, shall and may at all times hereafter hold and enjoy the same, and all Rents and Services, Courts and Visitations, Perquisites and Profits of Courts and Visitations, Fines, Free Warrens, Franchises, Waifs, Estrays, Deodands, Escheats and all other Royalties, Privileges, Pre-eminences and Appurtenances to such Honors, Manors, Lordships or Jurisdictions respectively incident, belonging, appending or appertaining (except the Right of the Soil of the said Purlieus or Open Commonable Lands and

Saving of Rights
of Lords of the
Manor.

and Grounds, and other the Forestial and Common Rights for which Compensation is hereinbefore directed to be made) in as full, ample and beneficial manner as they respectively could or might have held and enjoyed the same in case this Act had not been made.

Proviso for
Bishop of Win-
chester and War-
den and Scholars
of Winchester
College.

LXXI. Provided always, and be it further enacted, That nothing herein contained shall extend or any wise be construed to extend so as to charge or make chargeable the Lord Bishop of *Winchester* or his Successors or the Warden and Scholars Clerks of *Saint Mary College of Winchester near Winchester* or their Successors or any of them, with the Payment of any of the Costs, Charges and Expences which shall be occasioned or incurred by reason or means of any Disputes or Differences or of any Trials at Law touching or concerning any Claim or Claims to the Right of the Soil or of any Rights of Common or other Rights and Interests in, over or upon the Lands or Grounds hereby directed to be divided, allotted and inclosed or any Part or Parts thereof; but that the several and respective Shares and Proportions of the said Lord Bishop of *Winchester*, and Warden and Scholars Clerks of *Saint Mary College of Winchester near Winchester*, and their respective Successors, of all such Costs, Charges and Expences, shall be paid by the said Commissioners out of the Monies directed to be raised by virtue of this Act; and that the said Lord Bishop of *Winchester*, and the said Warden and Scholars Clerks of *Saint Mary College of Winchester, near Winchester* and their respective Successors shall be and they are hereby severally and respectively indemnified from all such Costs, Charges and Expences accordingly.

The King to
bear Proportion
of Costs.

LXXII. Provided always, and be it enacted, That nothing herein contained, shall extend or be construed to extend so as to exempt the King's Majesty, his Heirs and Successors, from the Payment of a due and just Proportion of all the Costs, Charges and Expences attending any such Disputes, Differences or Trials at Law which may be had, brought or instituted against the said Lord Bishop of *Winchester* and Warden and Scholars Clerks of *Saint Mary College of Winchester near Winchester*, and their respective Successors, touching the aforesaid Claims; but the said Commissioners shall and they are hereby authorized and required to adjust and settle all such Costs, Charges and Expences so and in such manner as that each and every Person interested in the said Division and Inclosure may pay and bear his, her and their due and just Proportion thereof, (other than and except the said Lord Bishop of *Winchester*, and the said Warden and Scholars Clerks of *Saint Mary College of Winchester near Winchester*).

Proviso for
James Tooker
Esq. as to Wood-
crofts.

LXXIII. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend so as to prejudice, lessen, defeat or alter the Right, Title or Interest of *James Tooker Esquire*, in and to a certain Piece or Parcel of Land called *Woodcrofts*, in the said County of *Southampton*, Part of the Manor of *Hinton Daubney* in the said County; but that the same shall remain subject to the same Rights and Privileges in all respects as if this Act had not been made: Provided nevertheless, that the said Piece or Parcel of Land called *Woodcrofts*, be not within the Regard or Bounds of the said Forest intended to be hereby inclosed.

General Saving.

LXXIV. Saving always to the King's Most Excellent Majesty, his Heirs and Successors, and to all Bodies Politick, Corporate or Collegiate

Collegiate and their Successors, and to all and every Person and Persons whomsoever, his and their Heirs, Executors, Administrators and Assigns, all such Estate, Right, Title, Interest, Claim and Demand whatsoever, (other than and except such as is and are hereby expressed, meant and intended to be barred, destroyed or extinguished) as they, every or any of them, had or enjoyed in, to or out of the said Forest and Open Commonable Lands and Grounds, as they, every or any of them, now have or hath or could have had and enjoyed therein in case this Act had not been made.

LXXV. And be it further enacted, That this Act shall be printed Evidence.
by the Printer to the King's Most Excellent Majesty, and a Copy thereof, so printed, shall be admitted as Evidence thereof by all Judges, Justices and others.



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